



AGENDA
COMMUNITY DEVELOPMENT COMMITTEE
Monday, March 23, 2015

6:00 PM

**Public Safety Building
285 North Seven Hills Road**

I) Roll Call

II) Approval of Minutes – March 9, 2015

III) Items Requiring Council Action – Monday, April 6, 2015

A. McKendree Metro Rec Plex / Four Points Center:

1. Planned Use and Preliminary Plat (1st Reading & Resolution)
2. Amendment of TIF #1 (1st Reading)
3. Intergovernmental Agreement with School Districts (1st Reading)
4. Route 50 / Scott-Troy Road TIF Ordinances (1st Readings)
5. TIF Redevelopment Agreement (1st Reading)
6. Public Hearing Date for Route 50 / Scott-Troy Road Business District Plan (1st Reading)

B. Reserves of Timber Ridge:

1. Annexation Agreements (Resolutions)
2. Preliminary Plat (Resolution)
3. Annexation (1st Reading)
4. Zoning (1st Reading)

C. Gateway Classic Cars:

1. Planned Use (1st Reading)
2. SEPA – Midwest Motorcycle Expo (Motion)

D. Special Events:

1. Global Brew – Multiple Events (Motions)
2. YMCA Summer Camp (Motion)

IV) Other Business: None

NEXT MEETING: Monday, April 13, 2015 – 6:00 P.M. – Public Safety Building

General Citizen Comments: The City of O'Fallon welcomes comments from our citizens. The Illinois Open Meetings Act provides an opportunity for citizens to speak at all committee and Board meetings. However, 5 ILCS 120/1 mandates that NO action shall be taken on matters not listed on the agenda. Please submit your name to the chairman and limit your comments so that anyone present has the opportunity to speak.



MINUTES
COMMUNITY DEVELOPMENT COMMITTEE
7:00 PM Monday, March 9, 2015

Minutes of a regular meeting of the Community Development Committee of the City of O'Fallon, held at the Public Safety Building, 285 N. Seven Hills Road, O'Fallon, Illinois.

CALL TO ORDER: 7:00 PM

- I) **Roll Call** – *Committee members:* Jerry Albrecht, Gene McCoskey, David Cozad, Ray Holden, Harlan Gerrish, and Jerry Mouser. *Other Elected Officials Present:* Ed True, Mike Bennett, Richie Meile, Herb Roach, Kevin Hagarty, and John Drolet. *Staff:* Pam Funk, Ted Shekell, Sandy Evans, Justin Randall, Eric Van Hook, Mick Hunter, Mark Berry, Rob Schmidtke, and Jim Cavins. *Visitors:* Charlie Pitts, Vern Malare, Tom Faulkner and Amy Ballance.
- II) **Approval of Minutes from Previous Meeting** – All ayes. Motion carried.
- III) **Items Requiring Council Action**
 - A. SEPA – St. Nicholas NickFest Festival (Motion) – Justin Randall provided the Committee with a brief update for the special event permit for St. Nicholas Catholic Church in May. Police Chief Van Hook added the Police Department and the parish have come to an agreement to increase the safety of the event and the surrounding residences. The committee recommended approval with a vote of 6-0.
 - B. SEPA – Ace Hardware Temporary Greenhouse – Justin Randall brief explanation on special event for Ace Hardware and indicated it was consistent with previous approvals. No concerns were raised. The committee recommended approval with a vote of 6-0.
 - C. SEPA – Frieze Harley-Davidson Multiple Events (Motion) – Justin Randall gave a brief overview of the six events proposed by Frieze needing Council approval. For the 20th Annual Cancer Benefit Ride on May 17th the organizers are requesting a police presence to begin the ride leaving the Green Mount Road business location. The two Friday Night LIVE events are June 19th and August 21st from 5 PM to 10 PM. The events would serve alcohol and a live band from 6 PM to 10 PM. The events are consistent with the 2014 Special Event Permits for Frieze Harley-Davidson. The committee recommended approval of the Special Event Permits with a vote of 6-0.

IV) **Other Business - None**

MEETING ADJOURNED: 7:20 PM

NEXT MEETING: March 9, 2015 – Public Safety Building

Prepared by: Justin Randall, Senior City Planner

DRAFT MINUTES
O’FALLON PLANNING COMMISSION
March 10, 2015

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: Debbie Arell-Martinez, present; Jeffrey Baskett, present; Patricia Cavins, excused; Al Keeler, excused; Rebecca Pickett, present; Joe Rogers, present; Ray Rohr, present; Larry Sewell, present. A quorum was declared present by Sewell.

MINUTES: Motion was made by Baskett and seconded by Rohr to approve the minutes of January 13, 2015. All Ayes. Motion carried.

Sewell welcomed everyone and explained the role of the Planning Commission. The Planning Commission members introduced themselves. Also present were Community Development Director Ted Shekell and Senior City Planner Justin Randall. Present in the audience was City Alderman Ray Holden. Sewell gave an overview of the process that would be followed for the evening.

UNFINISHED BUSINESS: None.

PUBLIC HEARINGS:

(P2015-01) - Zoning Amendment Subject to the Planned Development Ordinance from “B-1(P)” Planned Community Business District to “B-1(P)” Planned Community Business District for Gateway Classic Cars to host private and public events. The property is located at 1237 Central Park Drive and the petitioner is Sal Akbani, Fairmont Venture Partners, LLC.

Public hearing was opened at 6:04 p.m. Randall presented an overview of the project and staff report. A map of the subject and surrounding properties and their zoning was shown. Randall highlighted various points and issues from Staff’s Project Report dated March 10, 2015.

Staff does not have concerns with the smaller public assembly events as the facility can meet the demands of parking and current operations. However, larger public assembly events raise concerns for demands on parking and impact on traffic in the Central Park corridor. The building is designed to hold just under 1,400 people and the parking accommodates just fewer than 1,300 people.

Randall explained that this proposed planned use will not provide a blanket approval for the public assembly events, rather it allows City Council to know in advance that such larger events can be expected to be brought before Council for approval of specific events through the Special Event Permit application process.

Shekell explained places of public assembly or activities require authority for consideration by the City Council. He also explained the Special Event Permit process

whereas some can be administratively approved and others require City Council approval. All are reviewed by Public Safety and Fire Department.

Public comments were opened at 6:15 p.m.

John Busch, Events Coordinator for Gateway Classic Cars, was sworn in. They plan six to eight large events each year which would maximize their parking. Sewell asked Shekell if there was a stress point to how many of these large events would be considered by the City. Shekell explained that each event will be considered on its own merit. Considerations include alcohol being served, outdoor vs. indoor event, and parking arrangements. Shekell reported that Menards communicated with him to address concerns with their parking area being utilized for the events. Consideration for issues at an event could support more detailed scrutiny for future events.

Sewell asked for an explanation of a large event. Busch described most are car shows. Cars would be on display with spectators in the parking lot. If more parking is needed, they will work out agreements with adjacent business owners to utilize their parking and have spectators shuttled from their cars to the display venue. Busch indicated they already have a verbal agreement with At Home. There will be music outside directed towards the center of the parking lot from the front of the building and the building would serve as a partial noise buffer to the apartments behind the facility.

Busch continued they are planning a motorcycle expo event will be a Friday night and Saturday. They would be mostly inside but there would be some outside vendors. There will be alcohol served, an indoor band, and educational seminars.

Spring Fling is a charity car show with vendors outside and inside, classic cars are parked in the lot, and spectator parking is along the sides of the building. There were no issues with parking last year other than customers shopping at Menards walked over to the Gateway Classic Car facility, and this has been discussed with Menards. Busch explained a traffic flow plan with the west entrance being the entrance to the event, and the east entrance being the exit from the event. He proposed they can direct traffic to exit to the right only if necessary to reduce the hazard of turning left onto Central Park Dr. This is an alcohol-free event. All events are usually during fair weather.

Curt Schroeder of Greensfelder, Hemker & Gale, attorney on behalf of Darrell Shelton, one of the developers of the Central Park area, was sworn in. Schroeder indicated Shelton strongly opposes the proposed amendment and any events of this size, and is concerned about the effect on Central Park Plaza. Schroeder stated apprehensions regarding the facility not being meant for these types of events and 5,000 to 10,000 people will cause a major issue with parking.

Schroeder continued with Shelton's concerns regarding:

- Attendee activities that will spill over onto Shelton's adjacent property.
- Future developers could observe these events and be deterred by the perceived parking issues.
- Safety issues from event attendees parking wherever they can find parking and walking to the event since on-site parking may not be available.

- Developers are required to “park the property” when planning their projects and plan for on-site parking accordingly. The same should be required here.
- Sales of beverage, food, and liquor would have an impact on restaurants in Central Park.
- The building was not constructed to support these size crowds so restroom facilities are likely insufficient.

Baskett asked Shekell if they have heard from other businesses. Shekell reported he had only heard of Shelton’s concerns and has talked with Menards, who is open to discuss shared, organized parking. Shekell compared these larger events to those held by Frieze Harley-Davidson as it is directly across from the Misty Valley subdivision. The Police Department and Fire Department are involved in the reviews and the required events are brought before City Council. Shekell recapped that no specific event is approved with this petition and there is criteria that would still require City Council approval.

Shekell explained to Pickett’s inquiry that the events are perpetually reviewed and approved. Long-term blanket approvals are not given. The success of, or issues with, a particular event can weigh in on future event approvals. It is the business owner’s responsibility to ensure the events are managed appropriately and conditions for approval are monitored.

Busch reported last year’s Spring Fling event averaged approximately 2,000 people. This year’s motorcycle expo could draw 8,000-10,000 people over the 2-day event. With the constant turn-over throughout the day, there could be as many as 4,000-5,000 people at the busiest time of 10am to 1pm.

Sewell asked Shekell for his opinion of Menards’ concerns and he ranked it a 3-4 out of 10. They just wanted assurance that their parking would not be used without permission, but they could consider roping off a section for Gateway Classic Cars. Busch stated he has discussed options with them and a mutual agreement was reached.

Busch and Rohr explained there were no parking issues with last year’s largest event of 2,000 people. Rohr, a Shriner, attended this fundraising event and assisted with parking.

Shekell reported to Baskett that Enjoy Church has an arrangement with At Home for off-site parking and shuttling, and they are also working on a long-term arrangement with Balke-Brown. There are no other known events that the City knows of which require off-site parking and shuttling. Ashland Extension could come through and create a corner near At Home, and redevelopment there could result in their parking lot not being as large.

Public comments were closed at 6:43 p.m.

Staff Recommendation:

Randall read over the Staff Recommendation.

Staff recommends approval of the use, with the following conditions:

1. The occupancy of the building shall not exceed the City's minimum parking requirements for spaces provided on the property. Based on the current parking (431 spaces) the maximum occupancy is limited to 1,293 people.
2. Any event in which the expected attendance will exceed 1,200 people, or require areas of existing parking to be used for the event, or otherwise meets a requirement of a Special Event as defined in Chapter 118 of the Code of Ordinances, a Special Event Permit is required.
3. No parking shall occur off-site, without a Special Event Permit issued by the City Council and without written proof provided to the city of such offsite parking arrangements.
4. No parking shall occur on Central Park Drive.

Baskett asked if potentially affected property owners are notified of Special Event Permits. Shekell stated it is not a default notification, but City Council does sometimes ask the adjacent property owners be made aware of the proposed event so any possible concerns can be addressed.

Sewell asked if the police emphasize patrol during larger events. Shekell answered the application is reviewed by the Police Dept who make that determination. Security and patrol, if OFPD provided, are paid for by the applicant and is a condition for approval.

Randall added that consideration was given with the size of the building, bathroom facilities, and fire exits. Conclusion was that 1,383 people can be adequately provided for.

Shekell responded to Pickett that prior to City Council review, Special Event Permit applications are reviewed at Community Development Committee meetings. These meetings are open to the public where they can become aware of these events. Shekell concluded there is additional scrutiny for outdoor events.

Motion was made by Baskett and seconded by Rohr to approve Staff's Recommendation.

ROLL CALL: Arell-Martinez, aye; Baskett, aye; Pickett, aye; Rogers, Aye; Rohr, aye; Sewell, aye. All Ayes. Motion to approve with conditions passed.

The project moves to Community Development on March 23, 2015, at 6 p.m. The public hearing was closed at 6:50 p.m.

(S15-02 and P2015-02) – Zoning Amendment from St. Clair County Agricultural and "RR" Rural Residential, to O'Fallon "SR-1B" Single-Family Residence Dwelling District upon annexation for the preliminary plat of the residential subdivision Reserves of Timber Ridge. The 102+ acre property is generally located at 1309 Simmons Road and extends westward. The petitioner is Reserves of Timber Ridge LLC.

Public hearing was opened at 6:50 p.m. Randall presented an overview of the project and staff report. A map of the subject and surrounding properties and their zoning was shown. Randall highlighted various points and issues from Staff's Project Report dated March 10, 2015. Randall displayed several maps and a photo of the property and indicated where a 300 ft strip of land is being annexed as a path of annexation to the development.

In presenting the preliminary plat, Randall reported:

- 157 Single-family Lots
- SR-1B Zoning (minimum 10,000 sq ft lots, and 7 ½ ft side-yard setback)
 - SR-1B zoning is consistent with many of the existing and nearby subdivisions
- 11,250 – 334,000 sq.ft.
 - 24,915 sq.ft. average
- 1.88 lots / acre
- 6.56 Acres of Open Space
- Design of a 4-acre lake

Randall reported the applicant is continuing to work on connecting this development to Pausch Rd as a residential connector street. Shekell explained this is why there are stub streets proposed in the plat and connectivity to Pausch is in line with the intent of the Northwest Traffic Study.

Randall continued that site-distance safety at the subdivision entrance will be addressed throughout the process of final development approval.

Public comments were opened at 7:05 p.m.

Marsha Maller, Professional Engineer with Thouvenot, Wade & Moerchen, was sworn in and spoke as the engineer for the developer. She testified Pausch Rd is approximately 100 feet away from the edge of the development on the west side. The farmer who owns the land and the Pausch Rd right-of-way is not ready to sell the property. The grand entrance will have a 30 ft rise, landscaping, and a monument sign. The grade of the entrance will not exceed the 8% maximum slope of a street allowed by the City. Trees will be removed to improve the line of sight at the entrance.

Applicant Denny Blumberg was sworn in. He reported that Maller performed a traffic study and there were 1.2 cars per minute. Blumberg stated the farmer to the west is giving easements and has been most cooperative, but he is just not ready to sell the property at this time.

Blumberg reported Reserves of Timber Ridge, LLC, has agreed to pay the appropriate annexation and park dedication fees, grant a bicycle facility easement and is working on the sewer availability. He has been in discussion with the property owners to the south regarding an easement but nothing has been finalized. Homes will be similar to Windsor Creek and Parcs at Arbor Green subdivisions.

Blumberg revealed the US Postal Service has a new law that collector post boxes are required – no new single-family developments can have individual mailboxes.

They anticipate starting construction this year with 32 lots in the first phase. The whole project is predicted to be completed in 3-5 years depending on economic indicators. Homes may start at \$275,000.

Bill Stimson, resident of 1229 Simmons Road, was sworn in. He wanted to address and/or confirm if the development was proposed to go west of Pausch Rd, what sanitary sewer options were, and if a Simmons Rd turn lane was needed.

Charlene McGinthy, 1233 Simmons Road, was sworn in. Her concerns were the increased traffic on the hilly and curvy road. There have been two fatalities on the roadway, her driveway is in a blind spot, and people drive very fast and cause many hazards. Windermire Ridge subdivision increased traffic greatly on Simmons Rd and asked if there had been any studies done regarding the traffic and a turn lane on Simmons. She questioned if the road was a Township road and who would maintain it. McGinthy testified the subject property is on top of a hill and excessive runoff will go into the dam area and eventually Ogles Creek. She concluded that they are slowly losing their piece of serenity with all the development in the area.

Maller explained how a traffic study is conducted and how determinations are made with reference to IDOT charts. The result of the traffic study conducted on this property indicated it falls within 70% of needing a turn lane or traffic signal per the requirements of IDOT. Simmons Road is a Township road and the \$2,250 per lot annexation fee will go towards projects such as road improvements when the roads are under control of the City.

Maller continued that the lake and dam are preliminarily classified as a Class 3 lake and dam with Illinois Department of Natural Resources and no permit is required, and the calculations analysis will be forwarded to IDNR. The dam is 20' – 22' tall and will provide detention to the west and this development. Approvals will be ascertained during the final improvement plan review process with the City. The bottom of the lake will be approximately 10 feet and there will be 15 feet of differential. There will be pipes down to the creek and forced emergency overflow structures are required through IDOR.

Shekell reported Engineering staff concurred with the traffic and turn lane findings. Most of Simmons Rd is outside the City jurisdiction. As the City takes over sections of a road, the City has an agreement with O'Fallon Township that they will continue to maintain the entire roadway in exchange for tax money.

Stimson asked if his property is affected by the annexation of this property. Shekell explained that as he has Caseyville Township water, he will not be required to annex at least for now.

Public comments were closed at 7:30 p.m.

Staff Recommendation:

Randall read over the Staff Recommendation.

- Staff recommends approval of the project, with the following conditions:
 - A variance to allow Street 9 to increase the maximum length of a dead end street from 800 feet to 1,532.
 - A variance to remove the requirement of a landscaped berm along Simmons Road.
 - The park dedication requirement is 2.66 acres with the requirement being fulfilled through a fee in lieu of land in the amount of \$135,864; \$865.00 per house permit.
 - Prior to final approval of the construction plans, the developer/engineer will need to ensure the entrance is designed to achieve adequate visibility and sight distances at the intersection with Simmons Road

Rogers objected to the zoning of SR-1B because of the 7 ½ ft setback, preferring it to be 10 ft. Most of the lots are 90 ft wide and seems to be more congested. Shekell responded the SR-1B does make it a little tighter, but changing it to SR-1 would reduce the number of lots. Most lots will have a 10 ft sideyard setback provided, but SR-1B does allow for the flexibility of a 3-car garage if desired. Baskett noted that SR-1B is consistent with surrounding zoning.

Baskett asked if the Township needs to approve the access. Shekell stated the section of the roadway becomes the City of O'Fallon's once annexed.

Motion was made by Rohr and seconded by Baskett to approve Staff's Recommendation.

ROLL CALL: Arell-Martinez, aye; Baskett, aye; Pickett, aye; Rogers, nay; Rohr, aye; Sewell, aye. Ayes – 5; Nays - 1. Motion to approve with conditions passed.

The project moves to Community Development on March 23, 2015, at 6 p.m. The public hearing was closed at 7:38 p.m.

REPORTS OF STANDING AND SPECIAL COMMITTEES: None.

REPORTS AND COMMUNICATION:

Shekell announced that there is one petition awaiting public hearing for March 24th.

ADJOURNMENT:

Motion was made by Rohr and seconded by Baskett to adjourn. All ayes. Motion carried. The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Vicki Evans, Transcriptionist

Minutes approved by Planning Commission



MEMORANDUM

TO: Community Development Committee
FROM: Justin Randall, Senior City Planner
THROUGH: Ted Shekell, Community Development Director
DATE: March 23, 2015
SUBJECT: McKendree Metro Rec Plex / Four Points Center:
Planned Use, Preliminary Plat, TIF and Business Districts

Introduction

Dean Oelze of SI Strategy, LLC has submitted the McKendree Metro Rec Plex and Four Point Center development on the northwest corner of the intersection of Route 50 and Scott-Troy Road will be present to the Community Development Committee in its entirety, including the Planned Use application, the Preliminary Plat, TIF District and Business District. Below is a brief overview of the project and financial package associated with the development. Staff has provided separate memos providing the Committee additional details on the different aspects of the project.

Planned Use and Preliminary Plat

A planned use and preliminary plat for were submitted for parcels of land generally located in the northwest corner of Highway 50 and Scott-Troy Road, currently zoned B-1, Community Business District and B-2 General Business, for a 45 acre mixed use development, including a 132,400 square foot recreational center, various retail, hospitality and office lots. Phase 1 of the Four Points Center is the construction of the McKendree Metro Rec Plex, a 132,400 square foot recreation complex. The plans have been amended since the Planning Commission meeting to address a number of the issues identified in the original submittal. The plans have added additional parking to accommodate the concerns outlined in the Plan Commission report.

The developer is proposing a preliminary plat that would initially create six lots. The west tract is an approximate 12.5 acre area in the northwest area of the overall tract of land, which will contain the rec plex facility and outlot for an area within the floodplain. The road, which will be a part of Phase 1 will also be located in a lot. The remainder of the tract has be identified as a 20.43 acre site, shown as the East Tract. The expectation is for outlots to be created as additional projects are proposed throughout the site.

TIF and Business Districts

In conjunction with the proposed Four Points Center, the applicant has requested approval of a new TIF district for project area. The project area is located in the Illinois 158 Corridor TIF (aka O'Fallon TIF #1), which was created in 1995 and set to expire in 2018. Due to constraints on the existing TIF, the developer requested to create a new TIF District in the project area. Since the property has an existing TIF in place, the City Council must amend the existing O'Fallon TIF #1 to remove the property from the TIF and then establish the new Route 50 / Scott-Troy Road TIF. Additionally, the petitioner has requested the creation of a Business District, which will allow the developer to collect up to an additional one-percent (1%) sales tax within the development. This is an additional tax on retail goods and is not a sales tax rebate. The action for the Business District is approval of an ordinance (required by state law) to set the Public Hearing for May 4, 2015.

Community Development Department
255 South Lincoln Avenue O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F: 618.624.4534



MEMORANDUM

TO: Community Development Committee
FROM: Justin Randall, Senior City Planner
THROUGH: Ted Shekell, Director of Community Development
DATE: March 23, 2015
SUBJECT: P2014-10 & S15-01: McKendree Rec Plex / Four Points Center
Planned Use and Preliminary Plat (1st Reading)

Recommendation

The Planning Commission held a public hearing on the above referenced application at their January 13, 2015 meeting. The Commission voted 6-ayes and 0-nays to approve the requested Planned Use and Preliminary Plat applications for the Four Points Center, subject to the conditions recommended by staff.

Project Background and Summary

The applicant, Dean Oelze of SI Strategy, LLC has filed an application requesting approval of a planned use and preliminary plat for parcels of land generally located in the northwest corner of Highway 50 and Scott-Troy Road, currently zoned B-1, Community Business District and B-2 General Business, for a 45 acre mixed use development, including a 132,400 square foot recreational center, various retail, hospitality and office lots. Phase 1 of the Four Points Center is the construction of the 132,400 square foot recreation complex on approximately 8.8 acres. The recreational facility, to be named the "The McKendree Metro Rec Plex", includes 2 NHL sized ice rinks, 4-lane recreational pool, a 25 meter x 25 yard competition pool, dive area with two – 1 meter spring boards, two – 3 meter spring boards and one – 5 meter fixed platform. The facility will have fitness areas, batting cages and a half court gymnasium. The McKendree Metro Rec Plex, will be located in the northwest corner of the 45 acre site.

The developer is also proposing a preliminary plat that would initially create six lots. The west tract is a 12.5 acre area in the northwest area of the overall tract of land, which will contain the rec plex facility. The 12.5 acre West Tract will also have a small outlot in the very northwest corner to carve out the portion of the property that is located in the floodplain. The remainder of the tract has been identified as a 20.43 acre site, shown as the East Tract. The expectation is for outlots to be created as additional projects are proposed throughout the site.

Please see the attached Plan Commission Project Report for more detailed information on the proposal.

The Four Points Center is requesting Tax Increment Financing and Business District. The proposed Route 50 / Scott Troy Road TIF and Business District is a separate item on the Community Development agenda, but is an integral part of the Four Points Center development.

Staff Recommendation

Staff recommends approval of the project with the following conditions:

1. Items needed for submittal:
 - a. Complete Phase I Drainage Report.
 - b. Full proposed grading for Phase 1, including the building, parking lot and detention areas.
 - c. Landscaping plan

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- d. Fire flow calculations
 - e. Auto turn analysis for access around the building for the following:
 - i. A 47-foot straight fire truck, and
 - ii. A semi-tractor trailer.
2. Floodplain:
 - a. According to the FEMA flood maps the floodplain line comes onto the property. Adjust the placement of the floodplain line appropriately.
 - b. Amend the proposed outlot to encompass all of the area within the FEMA floodplain.
 3. Recplex Drive Access:
 - a. Private drive must meet City standards for a street.
 - b. Private drive will be inspected by the City's Public Works Department.
 - c. Provide a typical street section, including curb & gutter and pavement thickness.
 - d. All entrances to Recplex Drive shall have a concrete apron with concrete sidewalk poured separately through the entrance.
 - e. All entrances to the site must incorporate the recommendations from the Traffic Impact Study.
 4. Parking:
 - a. The occupancy of the facility shall not exceed the City's minimum parking requirements for spaces provided on the property. Based on the staff recommended parking (606 spaces) the maximum occupancy is limited to 1,515 people. If at any time the rec plex were to construct additional parking on-site, the city would reevaluate the maximum capacity.
 - b. Until all required parking is constructed, ice hockey and aquatic events will not be held simultaneously so as to supersede the amount of parking provided with the project.
 - c. No expansion of parking or the building is permitted with this planned use
 - d. All landscape islands must be curbed and planted to meet Section 158.142.
 - e. A photometric plan will be required to meet the standards of Section 158.143.
 5. Detention:
 - a. Provide additional analysis on the offsite impacts from the Phase 1 drainage between Lot 11 and Lot 14. Concern over flooding impacts to the church directly downhill from the proposed outfall.
 - b. Provide the agreement for the use of the existing pond for detention and additional detail on the method proposed for detention of that area.
 6. Utilities:
 - a. Relocate the water line located along the west side of the building to the outside of the curb of the access road to the rear of the drive.
 - b. Provide preliminary sanitary sewer locations for Lots 4, 5, 6, 7 and 15.
 - c. Water lines must be in fittings.
 - d. Minimum water line for a commercial project is 8". Sizing will be verified with fire flow calculations.
 - e. Provide a FDC with a dedicated hydrant within 100 feet.
 - f. A separate fire line to be sized by the fire flow calculations.
 - g. Fire hydrants along Recplex Drive spaced at 400 feet.
 - h. Fire hydrants onsite must provide full coverage of the building according to IBC 2006 Section 508.5 and 2006 IFC Appendix C.
 7. Sidewalks:
 - a. A sidewalk will be required along Scott-Troy Road. The sidewalk can be constructed as the future phases develop.
 8. Easements & Dimensions
 - a. Provide a cross access easement on Recplex Drive for all lots in the Four Points development.
 - b. Provide dimensions to property lines.

9. Any future development beyond the McKendree Metro Rec Plex (Phase 1 of the Four Points Center development) will require future planned use approval.
10. All recommendations from the Traffic Impact Study shall be incorporated into the design and construction of the Four Points Center.

Attachment:

Report to Plan Commission

Revised Four Points Plans

Resolution Approving and Accepting the Preliminary Plat



PROJECT REPORT

TO: Planning Commission
FROM: Justin Randall, Senior City Planner
Ted Shekell, Director of Community Development
DATE: January 13, 2015
PROJECT: P2014-10 & S15-01: Four Points Center – Planned Use and Preliminary Plat

Location: Northwest corner of Highway 50 and Scott-Troy Road
Ward: 4
Applicant: Dean Oelze of SI Strategy, LLC
Owner: Westmore Development Corp and Robert G. Schwarz Trust
Submitted: November 21, 2014

Introduction

The applicant, Dean Oelze of SI Strategy, LLC has filed an application requesting approval of a planned use and preliminary plat for parcels of land generally located in the northwest corner of Highway 50 and Scott-Troy Road, currently zoned B-1, Community Business District and B-2 General Business, for a 45 acre mixed use development, including a 132,400 square foot recreational center, various retail, hospitality and office lots. Phase 1 of the Four Points Center is the construction of the 132,400 square foot recreation complex on approximately 8.8 acres. The recreational facility, to be named the "The McKendree Metro Rec Plex", includes 2 NHL sized ice rinks, 4-lane recreational pool, a 25 meter x 25 yard competition pool, dive area with two – 1 meter spring boards, two – 3 meter spring boards and one – 5 meter fixed platform. The facility will have fitness areas, batting cages and a half court gymnasium. The McKendree Metro Rec Plex, will be located in the northwest corner of the 45 acre site.

1. Existing Conditions

a. Subject Property

The subject property for the proposed McKendree Metro Rec Plex and business center is a 45-acre multi-parcel property. The property is generally bound by Route 50 to the south and Scott-Troy Road to the east. The property adjoins a single-family residence to the west, in which a pond is jointly owned. The northern boundary adjoins the Victory Church property.

The property is primarily used for agricultural purposes, and is zoned B-1 – Community Business District. The site encompasses land which is currently occupied by Mississippi River Construction Company along Scott-Troy Road, north of Highway 50, zoned B-2 – General Commercial District. The construction company has a 15,000 square foot office and storage building and a large outdoor storage area. As previously mentioned, the western portion of the property has a 3.66 acre pond. The pond is split between the development property and a single-family residential property.

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While the majority of the site is not in the floodplain, according to the Flood Insurance Rate Map 17163C0210D, the subject property appears to have approximately 0.68-acre located in the floodplain in the very northwest corner of the property. This area is located in Zone A, in which no base flood elevations have been determined. The site does not appear to be undermined, therefore no additional site stabilization is necessary.

b. Surrounding Properties

The property surrounding the proposed Four Points Center development is a mixture of uses, including commercial, office, and residential.

Surrounding Zoning:

Surrounding Land Use:

North: A(P), A

North: Victory Church and Rock Springs Park

East: MR-2, B-1, B-1(P)

East: MotoMart with Subway, Sweetwater carwash, Vacant Rock Springs Estates

South: A, I

South: Agricultural land and the Eastgate development with Super 8 motel and Amore restaurant

West: B-1, B-1(PUD), MR-2 (PUD)

West: Residence, Lakepointe Center Professional Park and Lakepointe Estates

2. Applicable Ordinances, Documents and Reports

a. O'Fallon Comprehensive Plan:

The O'Fallon Comprehensive Plan Future Land Use Map depicts the subject property as *Regional Commercial*. The Four Points Center development proposes a large recreational facility, with regional retail, restaurant and hotel opportunities, which is consistent with the proposed uses of the Comprehensive Plan recommended uses.

b. Code of Ordinances:

The proposed 132,400 square foot recreation complex is subject to Article 6 Planned Uses of Chapter 158: Zoning of the Code of Ordinance and requires a development plan. The property is also subject to the B-1, Community Business District requirements.

c. Public Notice:

Public Notice of this project has been fulfilled in accordance with Section 158.255 and 158.256 of the City of O'Fallon Zoning Regulations. More specifically, the applicant has notified property owners within 250 feet of the subject property via certified mail of the filing of the zoning amendment. Additionally, the City has notified property owners within 250 feet of the subject parcel of the public hearing at least 15 days prior to the hearing and published notice of the public hearing in a local newspaper at least 15 days in advance. Proof of notification is on file with the City's Community Development Department.

d. Traffic Study:

As required by the Planned Use provisions of Article 6, Chapter 158 of the Code of Ordinance, a traffic study was required for the Four Points Center development. The Traffic Impact Study shall become a part of the approval of Planned Use for the Four Points Center.

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3. Discussion Points/Issues

a. Land Use

The O'Fallon Comprehensive Plan Future Land Use Map depicts the subject property as *Regional Commercial*, which is consistent with the proposed project.

i. McKendree Metro Rec Plex (Phase 1):

The rec plex building is projected as Phase 1 of the Four Points Center. The McKendree Metro Rec Plex is a 132,400 square foot recreation complex on approximately 8.8 acres in the northwest portion of the overall development. The recreational facility includes 2 NHL sized ice rinks; one of which will be used as a Junior Rink and the other as a Pro Rink. The Junior Rink would have seating for 218 and the Pro Rink designed to provide a seating capacity of 2,252 at full buildout. However, initial construction will only install the west bleacher system, limiting the seating capacity to approximately 1,000. The design of the ice rink space will allow for the Pro Rink area to be a multipurpose event space with the long-term ability to seat 3,748 people.

The McKendree Metro Rec Plex will also include a 4-lane recreational pool, a 25 meter x 25 yard competition pool, dive area with two – 1 meter spring boards, two – 3 meter spring boards and one – 5 meter fixed platform and a seating area to accommodate just over 800, including participants. Finally, the facility will have a large fitness area totaling approximately 26,000 square feet, including batting cages and a half court gymnasium.

ii. Four Points Center Development (Phase 2 – 7):

The remaining 36 acres of ground of the subject property consists of a number of outlots for future development, including retail, restaurant, office and hotel type land uses known as Four Points Center. Currently the remainder of the project is purely speculative and there are no projects pending, except for the McKendree Metro Rec Plex. However, the developer projected out the future development to ensure some of the initial construction requirements would meet the demands of the future growth (streets, water, sanitary sewer) and for evaluating the TIF requested for the site. The future development of the Four Points Center conceptually includes the following:

- 8 lots for restaurant and retail opportunities
- 2 lots for hotels
- 1 lot for a large box retail opportunity
- 4 lots for office building opportunities

b. Preliminary Plat

The Four Points Center development also has a subdivision component to the project. At this time the developer is proposing a preliminary plat that would create three lots. The west tract is a 12.5 acre area in the northwest area of the overall tract of land, which will contain the rec plex facility. The 12.5 acre West Tract will also have a small outlot in the very northwest corner to carve out the portion of the property that is located in the floodplain. The remainder of the tract has been identified as a 32.2 acre site, shown as the East Tract.

c. Traffic Circulation/Parking

The Four Points Center is proposing access to the site via a privately maintained Recplex Drive, which has an access point on Highway 50 and Scott-Troy Road. The access point of Highway 50 is aligned with Eastgate Drive and the access point of Scott-Troy Road is approximately 800 feet north of the intersection of Highway 50. Based on the magnitude of this particular development, a traffic impact study was required. Staff has provided portions of the Traffic Impact Study prepared by CBB Transportation Engineers and Planners to provide analysis on the existing road network, ingress and egress to the site, on-site circulation and parking.

i. Existing Infrastructure:

The following information is taken from a Traffic Impact Study for the proposed Four Points Center completed by CBB Transportation Engineers and Planners:

Scott-Troy Road (CHH 61) is a north-south roadway maintained by St. Clair County consisting of two lanes (one in each direction) with a 45 mile per hour (mph) posted speed limit. Scott-Troy Road has 10-foot paved shoulders on each side. South of US 50, Scott-Troy Road becomes IL 158 (Air Mobility Drive) which provides access to I-64 and eventually Scott Air Force Base to the south. To the north, several minor roadways and commercial/private entrances connect to Scott-Troy Road before it crosses Old Vincennes Trail/Borchers Lane, a two-way (east-west) stop.

US 50 is an east-west State owned roadway maintained by the Illinois Department of Transportation (IDOT) consisting generally of two lanes (one in each direction) with a 45 mph posted speed limit. Eastbound US 50 has 3 foot paved shoulders with an adjacent 3 foot aggregate shoulder. Westbound US 50 has very little existing shoulder width. To the west, a few minor roadways provides access to US 50 before it intersects Shiloh Cut Off (CH 44) at a signalized, three-legged intersection.

The intersection of US 50 and Scott-Troy Road is controlled by a traffic signal constructed in the late 1990s. Westbound US 50 provides a separate auxiliary left-turn lane with two thru lanes. Northbound Air Mobility Drive and westbound US 50 have separate left, thru and right lanes. Southbound Scott-Troy Road provides separate auxiliary left and right turn lane with two thru lanes. All left-turns at the intersection are protected only concurrent paired movements.

The Traffic Impact Study also provided analysis on the existing traffic issues based on traffic count calculations. Generally, an intersection that function at a "D" Level of Service or above at peak hours is acceptable. The following is analysis of current traffic flows adjacent to the site:

Table 2 – Existing Operating Conditions

Intersection/Approach	AM Peak Hour	PM Peak Hour	SAT MD Peak Hour
US 50 & Scott Troy Road – Signalized			
Northbound Approach	C (27.8)	D (48.9)	C (22.0)
Southbound Approach	D (41.8)	C (27.8)	C (28.7)
Eastbound Approach	C (32.1)	E (64.2)	C (32.1)
Westbound Approach	F (180.4)	F (88.8)	D (37.0)
Overall	F (81.6)	E (56.2)	C (29.6)
US 50 & Shiloh Cut Off – Signalized			
Northbound Approach	C (19.4)	B (15.8)	B (14.6)
Eastbound Approach	B (19.3)	C (20.0)	B (14.3)
Westbound Approach	A (6.6)	A (6.4)	A (5.1)
Overall	B (14.1)	B (13.5)	B (10.5)
Scott Troy Road & Old Vincennes Trail/Borchers Lane – Side Street Stop			
Northbound Left	B (11.0)	A (8.8)	A (8.2)
Southbound Left	A (7.7)	A (9.7)	A (0.0)
Eastbound Approach	F (55.5)	F (118.9)	C (16.4)
Westbound Approach	F (118.3)	F (87.1)	C (21.0)
US 50 & Eastgate Drive – Side Street Stop			
Northbound Approach	B (10.9)	B (13.9)	D (27.9)
Westbound Left	A (0.1)	A (0.2)	B (11.5)

X (XX.X) - Level of Service (Vehicular delay in seconds per vehicle)

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The signalized intersection of US 50 and Scott-Troy Road currently functions poorly during both the a.m. and p.m. weekday peak hours with a Level of Service (LOS) of E overall, respectively. That congestion is primarily due to the large amount of traffic in the southbound through and westbound left with vehicles going to the I-64 interstate interchange and Scott Air Force Base.

Also, the eastbound and westbound approaches of the side road stop-controlled intersection of Scott-Troy Road and Old Vincennes Trail/Borches Lane function poorly with LOS F due to the single lane approaches and heavy mainline traffic.

ii. *Gateway Connector:*

The following information is taken from a Traffic Impact Study for the proposed Four Points Center completed by CBB Transportation Engineers and Planners:

IDOT has proposed and studied the Gateway Connector as an outer belt transportation corridor around the southwestern Illinois area of the St. Louis Metropolitan region. The Gateway connector Corridor Preservation Report has identified a preferred 400 foot wide corridor. Based on our recent contacts with IDOT representatives, no further studies have been conducted, and their (IDOT) construction timeline is uncertain.

iii. *Ingress and Egress:*

Access to Phase 1 of the development will be by means of two points of access. The development proposes a loop road (Replex Drive) to have access to Route 50 directly across from Eastgate Drive and access to Scott-Troy Road south of Victory Church. Replex Drive is proposed as a private drive within a cross access easement. The following is analysis provided from CBB in the Traffic Impact Study:

The two proposed Replex Drive intersections should be acceptable as a side-street stopped-controlled intersections in the 2015 Phase One Build condition (McKendree Metro Rec Plex) assuming the following off-site improvements are implemented:

- a. *Each entrance should have separate left or left/thru and right turn exit lanes.*
- b. *A southbound right turn-lane and northbound left-turn lane should be constructed at the intersection of Scott-Troy Road and Replex Drive.*
- c. *The intersection of US 50 and Replex Drive/Eastgate Drive should be constructed with separate eastbound left and right-turn lanes. Separate west bound left and right-turn lanes should also be constructed (on US 50). The intersection should be constructed with the assumption that it will be signalized in a later phase.*
- d. *Given that the expected delay for the eastbound approach of Replex Drive at Scott-Troy Road could create a safety hazard, the following are suggested revision to the site plan:*
 - a. *The intersection of Scott-Troy Road and Replex Drive could be converted to ¾ access, restricting left-turn movements out of the site. The left-out traffic will need to be reallocated to the intersection of US 50 and Replex Drive and dual southbound left lanes created. These additional trips will then need to be redirected to the eastbound dual left turns at US 50 and Scott-Troy Road.*
 - b. *If a signalized intersection is wanted, Replex Drive should be redesigned so that it intersects Scott-Troy Road as far north as the available property allows so that the required spacing (1000' minimum and 0.25 miles preferred) is met. This may require that the northern side of Replex Drive cannot be developed. This signalized intersection could also become the primary signalized access to future use of the property currently occupied by Rock Spring Estate mobile Home Park.*

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The development proposes two additional points of access on Route 50 and Scott-Troy Road as the Four Points Center continues to develop. Based on the conceptual nature of the future development, the additional points of access were not analyzed in the Traffic Impact Study, but an update to the study would be necessary as the development builds out and as additional access points are requested.

iv. *On-site circulation:*

While all of the internal traffic circulation is not known at this time, staff believes there is sufficient traffic circulation that can be obtained within the Four Points Center to maintain an efficient flow of traffic onto and throughout the site. Recplex Drive is designed as essentially a loop road around the development for interior access to the commercial development.

v. *Parking-McKendree Metro Rec Plex:*

Based on the unique use of the McKendree Metro Rec Plex, under the city parking codes staff broke down the building into three different areas; the ice rink area, aquatic center area and the fitness area. Under city codes, auditoriums, churches, theaters, stadiums and other places of assembly are required to provide 1 parking space per 2.5 seats, or 1 parking space per 3-person capacity based on ICC occupant load, whatever combination is greater. Additionally, health club or fitness centers are required to provide 4.5 parking spaces per 1,000 square feet of gross floor area.

The following parking calculations are based on information provided by the developer:

Initial Development of McKendree Metro Rec Plex:

Junior Rink: 218 seating capacity = 87.2 parking spaces
Pro Rink: 1,000 seating capacity = 400 parking spaces
Aquatic Center: 819 seating capacity = 327.6 parking spaces
Fitness Area: 26,286 square feet = 118.3 parking spaces
TOTAL PARKING REQUIRED = 934 parking spaces

In the future, the developer would like to expand the seating available in the Pro Rink area to include additional space on the east side of the ice rink and have events that utilize additional seating on the floor.

Overall Development of McKendree Metro Rec Plex:

Junior Rink: 218 seating capacity = 87.2 parking spaces
Pro Rink (floor event): 3,748 seating capacity = 1,499.2 parking spaces
Aquatic Center: 819 seating capacity = 327.6 parking spaces
Fitness Area: 26,286 square feet = 118.3 parking spaces
TOTAL PARKING REQUIRED = 2,033 parking spaces

Based on the calculations above 934 parking spaces would be required with the development of the initial phase or a calculation of 7.07 spaces per 1,000 square feet of building. The preliminary plan provides for 355 parking spaces (38% of the required parking). The reduction of 579 parking spaces (or 62% of the required parking) is being requested as a variance. City staff has investigated the use of an alternate parking plan which allows the City to reduce parking based on a professional engineer and other reliable data. The developer has indicated they have provided the necessary parking for the McKendree Metro Rec Plex.

Staff researched the Hardee's Ice Plex in Chesterfield, MO and the St. Peter's Rec-Plex to provide some basis of parking demand for a facility of this nature. The Hardee's Ice Plex is an approximate 115,000 square foot facility with two regular rinks with limited seating and one Olympic rink that can seat up to 2,200 people for an event. The site

has 560 parking spaces for the facility, equaling 4.9 parking spaces per 1,000 square feet of facility. A conversation with the general manager indicated that the majority of the time the facility does not have a parking issue, except on a large high school hockey game that fills the large arena. The facility uses the Taubman Prestige Outlets for overflow parking and prior to the construction of the outlet mall, patrons parked along North Outer Road Forty Road during those peak use times.

The St. Peter's Rec Plex is an approximate 200,000 square foot facility (two different buildings) with three ice rinks (300, 600 and 1,200 seat venues), multiple gymnasiums, an aquatic area and fitness areas. The overall site has 660 parking spaces, equaling 3.3 parking spaces per 1,000 square feet of facility. However, in the case of the St. Peter's Rec Plex there are other large parking opportunities within a safe walking distance of the facility. Lutheran High School of St. Charles County with 291 parking spaces adjoins the facility to the east and the St. Peter's Government Center with 91 parking spaces is just off to the west. With the two supplemental lots added into the equation, the site has 1,042 parking spaces available (5.21 spaces per 1,000 square feet).

Based on conversations with the City's traffic consultant, the 355 parking spaces provided with the initial construction would not meet the demands if there was an ice hockey event and aquatic event taking place at the same time and feels additional parking would need to be added to accommodate even one event. Based on the size of the building and the type of use of the building at a minimum, staff would recommend providing the necessary parking spaces for the Pro and Junior Rinks (largest assembly area in the building) and the Fitness Area, totaling a minimum of 606 parking spaces (4.5 spaces / 1000 square feet of facility or 64.9% of the required parking) recommended for the initial development.

CBB provided the developer and the city with a quick redesign off the onsite parking to balance out the site and add parking spaces (attached to staff report as Alternative Parking 1). The design would provide an additional 141 parking spaces (496 total parking spaces) and greatly enhance the on-site parking for the facility, essentially providing the necessary parking spaces for the Pro Rink (largest rink) and the Fitness Area on site (518 parking spaces required). Staff would be open to allowing the remaining 110 parking spaces to be constructed as overflow, with the potential for grass pavers or other alternative pavement methods.

With this reduction of overall parking, staff would recommend limitations placed on the developer to ensure there would not be an ice hockey event and an aquatic event held at the same time and limiting the maximum occupancy of the building based on parking spaces provide. Staff would recommend based on the 606 parking spaces provided, the occupancy of the building to limited to 1,515 people at one time (calculated at 606 parking spaces x 2.5 persons).

vi. Parking space size:

Code requires 10' x 19' parking spaces with 24' aisles (62' modules). The parking modules comply with the regulations. The site also meets the requirements for accessible parking.

vii. Parking lot lighting:

The plans do not account for parking lot lighting, which will have to meet the standards of Section 158.143.

d. Utilities and Drainage

i. Public Utilities

The site is adjacent to two water mains, including a 10-inch water main on the north side of Route 50 and a 12-inch water main on the east side of Scott-Troy Road. Preliminary plans indicate a 10-inch water line will be installed along the east/south side of Rec Plex Drive, tying into the existing city infrastructure on Route 50 and Scott-Troy Road. Additionally, a water line will be looped around the McKendree Rec Plex to ensure adequate water flow is available to the facility. All water line sizing and locations on the site will need to be verified by the developer with fire flow calculations.

Sewer service will also be provided to the facility via city infrastructure. The city has an 8-inch line along the west side of Scott-Troy Road, which the development will tie into with an 8-inch sewer line to provide service to the rec plex. Additional information will be necessary to ensure how the whole site is proposed to be services.

ii. Drainage

Storm water will be accommodated by utilizing the existing retention (wet) basin on the western edge of the site and the construction of three additional detention ponds. Phase 1 (McKendree Metro Rec Plex) will utilize the existing pond area and an additional 7,000 square feet on the northern edge of the development. An expansion of the northern detention pond and two additional ponds will be constructed as a part of the future development of the Four Points Center. All final drainage and detention facilities must meet all local, state and federal regulations.

e. Building and Site Improvements

The proposed 132,400 square foot rec plex which has four-side visibility, meets many of the recommendations of the Commercial Design Handbook, including use of varying building materials, incorporation of architectural components including 360 degree architecture and varying roof lines, and visually breaking up the façade of the walls with changes in building height and depth. The dumpster is enclosed within a section of the building.

f. Sidewalk

Per City requirements, a sidewalk is required to be installed in front of all new developments. The plan is showing a sidewalk along both sides of Recplex Drive and along Route 50. There will be a requirement for sidewalks along Scott-Troy Road and for sidewalks through the entrances need to be shown to be constructed separately from the entrance. Some of the sidewalks along Route 50 and Scott-Troy Road can be constructed as the future phases of the Four Points Center develop.

g. Landscaping and Buffer Requirements

i. Parking Lot Landscaping

At this time, a landscaping plan has not been completed and submitted for the site. A landscape plan will have to meet the City's requirements for landscaping the parking lot, street landscaping along Route 50, Scott-Troy Road and Recplex Drive, provide a 7-foot buffer around the perimeter of parking lot and landscaping in the parking lot islands, the city code requires two trees and two shrubs within each of the landscape islands.

ii. Buffers

City regulations state that a structural buffer is required when B-1 zoning abuts agricultural zoning. This occurs along the northern property line were in 2010 a Planned Use was approved for Victory Church. Additionally, the property to the west is zoned B-1 and will not require additional buffering.

h. Signage

The plan does provide a location for a monument sign along Route 50 and Scott-Troy Road, but there has not been a design provided and the signage will have to meet the sign requirements of Article 8 of Chapter 158: Zoning of the Code of Ordinances. All freestanding and wall signage will need to be submitted and review to ensure compliance with the City's requirements.

i. VariANCES

Parking: Per the square footage allotments outlined by the Four Points Center proposal, 933 parking spaces are required by code and 355 are being proposed. Based on analysis of other locations similar to this project in the Metro St. Louis area and an alternative parking design provided by CBB, staff would recommend providing the necessary parking spaces for the Pro and Junior Rink (largest assembly area in the building) and the Fitness Area, total a minimum of 606 parking spaces (4.5 spaces / 1000 square feet of facility or 64.9% of the required parking)

recommended for the initial development. Staff would recommend the parking layout provided by CBB for the on-site parking (496 spaces), while allowing 110 spaces to be constructed as overflow. In addition, staff would recommend limitations placed on the developer to ensure there would not be an ice hockey event and an aquatic event held at the same time and limiting the maximum occupancy of the building based on parking spaces provide. Staff would recommend based on the 606 parking spaces provided, staff calculated the occupancy of the building to limited to 1,515 people at one time (606 parking spaces x 2.5 persons).

4. Review and Approval Criteria

Section 158.119 of Article 6 "Planned Uses" lists several criteria for evaluating planned uses. Evaluation of the project based on these factors is included under each criterion.

- a. The criteria governing the rezoning of the property and approval of site plans, as set forth in the standards and requirements found elsewhere in the zoning code or in other applicable law,
The project meets all applicable zoning standards except for the variances identified above.
- b. The physical design of the proposed plan and the manner in which said design makes adequate provisions for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space and park dedication, and furthers the amenities of light, air, recreation and visual enjoyment.
The proposed development provides adequate provisions for public services, provides the necessary improvements to the control the increased traffic. The project greatly enhances pedestrian traffic opportunities on Route 50 and Scott-Troy Road. Overall, staff believes the site furthers the amenities of light, air, recreation and visual enjoyment.
- c. The relationship and compatibility of the proposed plan to adjacent properties and the surrounding neighborhood.
The Four Points Center development has been situated in a manner that attempts to reduce the impacts of the residential areas located in the vicinity of the development. Some enhancements have done to reduce the visibility of the loading dock area and mechanical units
- d. The conformity with the standards and principles of the Comprehensive Plan and all other adopted regulations, including the Commercial Design Handbook dated July 6, 2009 and on file with the City Clerk. (Ord 3665; passed 5-3-10)
The proposal is consistent with the Comprehensive Plan and the design of the buildings meets the intent of the Commercial Design Handbook.
- e. The use(s) are designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
The proposed development is designed to be operated to protect the public health, safety and welfare, with the additional parking recommended.
- f. An identified community need exists for the proposed use.
Yes, a community need exists for the proposed use.
- g. The proposed use(s) will not impede the normal and orderly development and improvement of the surrounding property, nor impair the use, enjoyment, or value of neighboring properties.
The development will not impede the normal and orderly development and use of the surrounding property, nor will it impair the use, enjoyment, or value of neighboring properties.
- h. The degree of harmony between the architectural quality of the proposed building and the surrounding neighborhood.
The proposed building will not detract from many of the structures surrounding the property.
- i. The appropriateness of the minimum dimensions and areas of lots and yards set forth in the applicable zoning district regulations.
The proposed development will be required to meet the area-bulk requirements set forth in the B-1 Community Business District.

5. Staff Recommendation

Staff recommends approval of the project with the following conditions:

- a. Items needed for submittal:
 - i. Complete Phase I Drainage Report.
 - ii. Full proposed grading for Phase 1, including the building, parking lot and detention areas.
 - iii. Landscaping plan
 - iv. Lighting plan
 - v. Fire flow calculations
 - vi. Auto turn analysis for access around the building for the following:
 - (1) A 47-foot straight fire truck, and
 - (2) A semi-tractor trailer.
- b. Floodplain:
 - i. According to the FEMA flood maps the floodplain line comes onto the property. Adjust the placement of the floodplain line appropriately.
 - ii. Amend the proposed outlot to encompass all of the area within the FEMA floodplain.
- c. Access:
 - i. Recplex Drive:
 - (1) Private drive must meet City standards for a street.
 - (2) Private drive will be inspected by the City's Public Works Department.
 - (3) Provide a typical street section, including curb & gutter and pavement thickness.
 - (4) All entrances to Recplex Drive shall have a concrete apron with concrete sidewalk poured separately through the entrance.
 - (5) All entrances to the site must incorporate the recommendations from the Traffic Impact Study.
- d. Parking:
 - i. Provide 496 permanent parking spaces for the Phase 1 of the McKendree Metro Rec Plex, as shown in the CBB Parking Alternative 1 and provide 110 parking spaces off-site as overflow, with pavement type to be finalized prior to Council approval.
 - ii. The occupancy of the facility shall not exceed the City's minimum parking requirements for spaces provided on the property. Based on the staff recommended parking (606 spaces) the maximum occupancy is limited to 1,515 people. If at any time the rec plex were to construct additional parking on-site, the city would reevaluate the maximum capacity.
 - iii. Until all required parking is constructed, ice hockey and aquatic events will not be held simultaneously so as to supercede the amount of parking provided with the project.
 - iv. No expansion of parking or the building is permitted with this planned use
 - v. All landscape islands must be curbed and planted to meet Section 158.142.
 - vi. The drive aisle along the north side of the building must be 20 feet wide.
 - vii. Parking lot lighting and photometric plan will be required to meet the standards of Section 158.143.
- e. Detention:
 - i. Provide additional analysis on the offsite impacts from the Phase 1 drainage between Lot 11 and Lot 14. Concern over flooding impacts to the church directly downhill from the proposed outfall.
 - ii. Provide the agreement for the use of the existing pond for detention and additional detail on the method proposed for detention of that area.
- f. Utilities:
 - i. Relocate the water line located along the west side of the building to the outside of the curb of the access road to the rear of the drive.
 - ii. Provide preliminary sanitary sewer locations for Lots 4, 5, 6, 7 and 15.

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- iii. Water lines must be in fittings.
 - iv. Minimum water line for a commercial project is 8". Sizing will be verified with fire flow calculations.
 - v. Provide a FDC with a dedicated hydrant within 100 feet.
 - vi. A separate fire line to be sized by the fire flow calculations.
 - vii. Fire hydrants along Recplex Drive spaced at 400 feet.
 - viii. Fire hydrants onsite must provide full coverage of the building according to IBC 2006 Section 508.5 and 2006 IFC Appendix C.
- g. Sidewalks:
- i. A sidewalk will be required along Scott-Troy Road. The sidewalk can be constructed as the future phases develop.
 - ii. Illinois accessibility code requires an accessible route from the building to the public right-of-way.
- h. Easements & Dimensions
- i. Extend 15' utility easement on west side of Recplex Drive down to Highway 50.
 - ii. Provide a cross access easement on Recplex Drive for all lots in the Four Points development.
 - iii. Extend the ingress/egress easement on the northwest corner of the development to the property line.
 - iv. Provide dimensions to property lines.
- i. Any future development beyond the McKendree Metro Rec Plex (Phase 1 of the Four Points Center development) will require future planned use approval.
- j. All recommendations from the Traffic Impact Study shall be incorporated into the design and construction of the Four Points Center.

Attachments

- Attachment 1 – Project Application
- Attachment 2 – Zoning Map
- Attachment 3 – Surrounding Land Use Map
- Attachment 4 – Site Plan
- Attachment 5 – Building Elevation
- Attachment 6 – CBB Parking Alternative 1
- Attachment 7 – Traffic Impact Study Summary

Robert G. Schwarz
1818 Carrington Way
Swansea, IL 62226

Westmore Development Corp
1415 Elbridge Payne Rd Ste 285
Chesterfield, MO 63017



CITY OF O'FALLON
OCT 20 2014
FEE PAID



Planned Use / Re-Zoning Application

NAME OF PROJECT: Four Points Center
ADDRESS/GENERAL LOCATION: NW corner of Highway 50 and Scott Troy Road
SUBDIVISION NAME & LOT NUMBER(S): Four Points Center - Phase 1
PARCEL NUMBER(S): 04330200033, 04280400032, 04330200025, 04280400028, 04330200026

PLEASE CHECK THE TYPE OF APPLICATION (PLEASE CHECK ONE):

- PLANNED USE
- RE-ZONING (STANDARD MAP AMENDMENT)

SUMMARY DATA (RESPOND TO ALL THAT APPLY):

PRESENT ZONING: B-1 + B-2 PROPOSED NUMBER OF BUILDINGS: 1
PROPOSED ZONING: B-1 (P) PROPOSED GROSS FLOOR AREA: 132,400 SF
PROPOSED # OF LOTS: 1 AREA IN ACRES: project- 44 3/4 phase I- 8.82032
PROPOSED # OF DWELLING UNITS: 0 PRESENT USE: Farmland

APPLICANT INFORMATION:

NAME: Dean Oelze
COMPANY: SI Strategy, LLC
ADDRESS: P.O. Box 312
Nashville, IL 62263
PHONE: 618-980-3807
FAX: _____
EMAIL: genchaos1@aol.com

DESIGN PROFESSIONAL INFORMATION:

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COMPANY: Curl and Associates, Inc.
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Centralia, Illinois 62801
PHONE: 618-533-4149
FAX: 618-533-3732
EMAIL: _____

Dean Oelze
SIGNATURE OF APPLICANT

Louis R. Curl
SIGNATURE OF DESIGN PROFESSIONAL

RECEIVED OCT 20 2014
DATE RECEIVED: _____
APPLICATION RECEIVED BY: V. Evans
APPLICATION FEE: \$500.00
STAFF USE ONLY
PROJECT ID #: P2014-10
STAFF ASSIGNED: _____
PLAN REVIEW FEE DEPOSIT REC'D: yes \$900-

narrative

RECEIVED OCT 20 2014

Four Points Center

S.I. Strategies is proud to present "Four Points Center". Four Points Center encompasses a total of 45 acres which will be utilized for various sized businesses in retail, hospitality, professional, and recreational. The development will be built in phases and be located north of Interstate 64 at Exit 18 at the corner of Scott Troy road and Highway 50.

The Four Points Center is being presented as a phased development with a total of 7 phases. At this time SI Strategy is applying for approval of Phase I. Phase I and the anchor of Four Points Center is the planned public sports complex that is to be known as "The McKendree Metro Rec Plex". This facility will boast 2 NHL sized ice rinks, recreational pool with 4 swimming lanes, an additional 25 meter by 25 yard competition pool, a dive area incorporated into the competition pool which includes 2- 1 meter spring boards, 2- 3 meter spring boards and 1- 5 meter fixed platform, a half court gymnasium, indoor batting cages, elevated walking track and a fitness area that includes free weights and cardio equipment. The facility will also offer group and individual fitness classes as well as a day care facility for use by members. The facility will be available to host birthday parties, reunions, trade shows and be a venue for corporate retreats.

The McKendree Metro Rec Plex will be a public facility offering daily admission as well as single and family memberships. The facility will serve as home for McKendree University's ice and aquatic programs. The facility will also serve as the home ice for The Southern Illinois IceHawks. It is anticipated the facility will be open as soon as the fall of 2015.

S15-01
fee waived per TKS via JR re 1-9-15

CITY OF O'FALLON, ILLINOIS
APPLICATION FOR APPROVAL OF PRELIMINARY SUBDIVISION PLAT

(To be submitted with Filing Fee (\$150.00 plus \$10.00 per lot) payable to "City of O'Fallon" and a separate check for Engineering Plan Review Fee payable to "Rhutasel and Associates, Inc.")

Date: 1-9-15

Name of Subdivision: Four Points Center

Name, Address, and Phone Number of Subdivider: Dean Oelze of SI Strategy
PO Box 312, Nashville, IL 62263

Name, Address, and Phone Number of Engineer: Louis Curl of Curl and Associated
226 E. Broadway Centralia, IL 62801

Section: 28 & 33 Township: 2N Range: 7W

Area of Tract: 44.7 AC Number of Proposed Lots: 3 Zoning: B-1(P)

Property interest of applicant: () Owner () Contract Purchaser Other Option Purchaser

APPLICANT'S CHECKLIST

REQUIREMENTS FOR SUBMITTAL

(YES or NO)

- | | |
|--|--------------------------|
| PAYMENT OF FILING FEE | <u>NO - PLANNED USE</u> |
| PAYMENT OF ENGINEERING PLAN REVIEW FEE | <u>NO - PLANNED USE</u> |
| 6 PRINTS OF SUBDIVISION PLAT & ONE (1) 11" x 17" COPY | <u>YES - PLANNED USE</u> |
| VARIANCES - (IF APPLICABLE) REQUESTS ATTACHED | <u>NO</u> |
| NARRATIVE LETTER PROVIDING AN OVERVIEW OF PROJECT | <u>YES - PLANNED USE</u> |
| COMPLETION OF PRELIMINARY PLAT CHECKLIST | <u>YES</u> |
| COMPLETION OF PAYMENT RESPONSIBILITY FORM | <u>NO - PLANNED USE</u> |
| PRIVATE SUBDIVISION REGULATIONS ATTACHED (IF APPLICABLE) | <u>NO</u> |
| PHASE I DRAINAGE REPORT | <u>NO</u> |
| .PDF COPY OF PLAT | <u>YES</u> |
| SUBMITTAL IN CAD / GIS FORMAT (ON CD) | <u>NO NO</u> |
| PROOF OF DEVELOPER'S OWNERSHIP INTEREST | <u>YES</u> |

***SUBMISSION PACKETS MUST BE COMPLETED IN FULL OR THEY WILL NOT BE RECEIVED BY THE CITY.**

I HEREBY affirm that I am authorized by the Developer to complete this **Application for Preliminary Plat** and that this request is in compliance with Chapter 154: Subdivisions stated in the Code of Ordinances of the City of O'Fallon, as indicated.



 Applicant's Signature

I, LOUIS R. CURL, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 32, 228 EAST BROADWAY, CENTRALIA, ILLINOIS 62801, HEREBY CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE TRACT INTO LOTS AS SHOWN HEREON, AND THAT I AM A MUNICIPALITY HAVING A CORPORATE LIMITS PER ORDER OF THE BOARD OF SUPERVISORS DATED THIS _____.

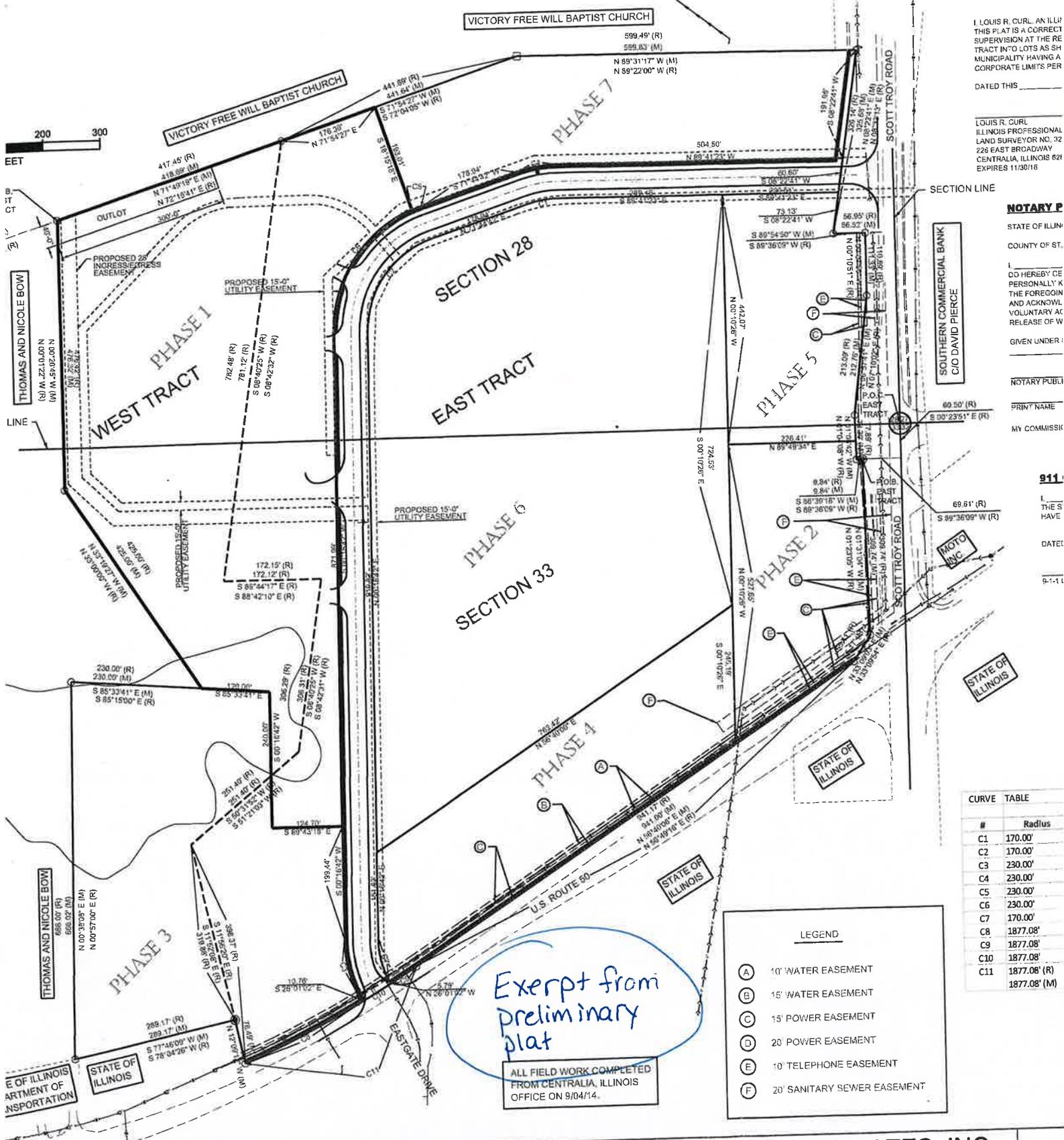
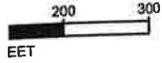
LOUIS R. CURL
ILLINOIS PROFESSIONAL
LAND SURVEYOR NO. 32
228 EAST BROADWAY
CENTRALIA, ILLINOIS 62801
EXPIRES 11/30/16

NOTARY PUBLIC

STATE OF ILLINOIS
COUNTY OF ST. LOUIS
I, _____, DO HEREBY CERTIFY THAT I AM A NOTARY PUBLIC IN THE STATE OF ILLINOIS, AND I AM NOT REVOKED, SUSPENDED, OR EXPELLED FROM OFFICE. I HAVE BEEN COMMISSIONED BY THE BOARD OF NOTARIES ON _____, 2016, AND MY COMMISSION EXPIRES ON _____, 2021.

911

I, _____, THE SURVEYOR, HAVE DRAWN AND CHECKED THIS PLAT, AND I HEREBY CERTIFY THAT IT IS A CORRECT REPRESENTATION OF THE TRACT INTO LOTS AS SHOWN HEREON, AND THAT I AM A MUNICIPALITY HAVING A CORPORATE LIMITS PER ORDER OF THE BOARD OF SUPERVISORS DATED THIS _____.



Excerpt from preliminary plat
ALL FIELD WORK COMPLETED FROM CENTRALIA, ILLINOIS OFFICE ON 9/04/14.

LEGEND

- (A) 10' WATER EASEMENT
- (B) 15' WATER EASEMENT
- (C) 15' POWER EASEMENT
- (D) 20' POWER EASEMENT
- (E) 10' TELEPHONE EASEMENT
- (F) 20' SANITARY SEWER EASEMENT

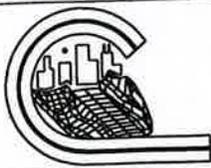
CURVE TABLE

#	Radius
C1	170.0'
C2	170.0'
C3	230.0'
C4	230.0'
C5	230.0'
C6	230.0'
C7	170.0'
C8	1877.08'
C9	1877.08'
C10	1877.08'
C11	1877.08' (R)
	1877.08' (M)

IP OF DOCUMENTS	REVISIONS	DRAWN	DESIGNED
	NEW PROPERTY FOR PHASE 1	LGS	LRC
		SURVEYED	CHEK/APPRVD
		LGS	LRC

CURL & ASSOCIATES, INC.

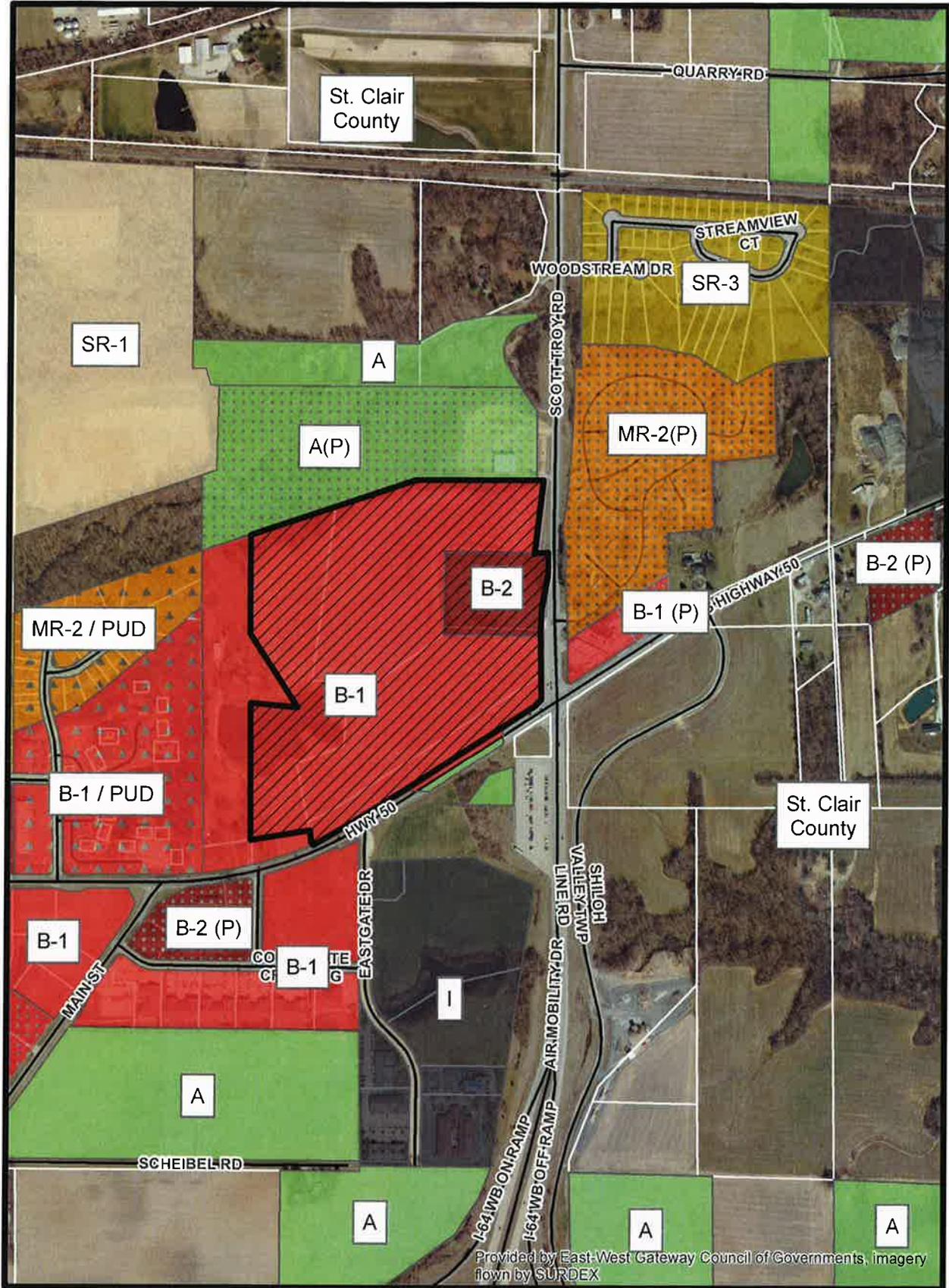
CONSULTING ENGINEERS & LAND SURVEYORS



228 E. BROADWAY
P.O. BOX 1240
CENTRALIA, IL 62801
PH. 618-335-2156

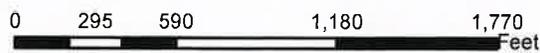
ALL SURVEYS ARE DESIGNED FROM A NORTH POINT

P2014-10: Four Point Center - Zoning Map

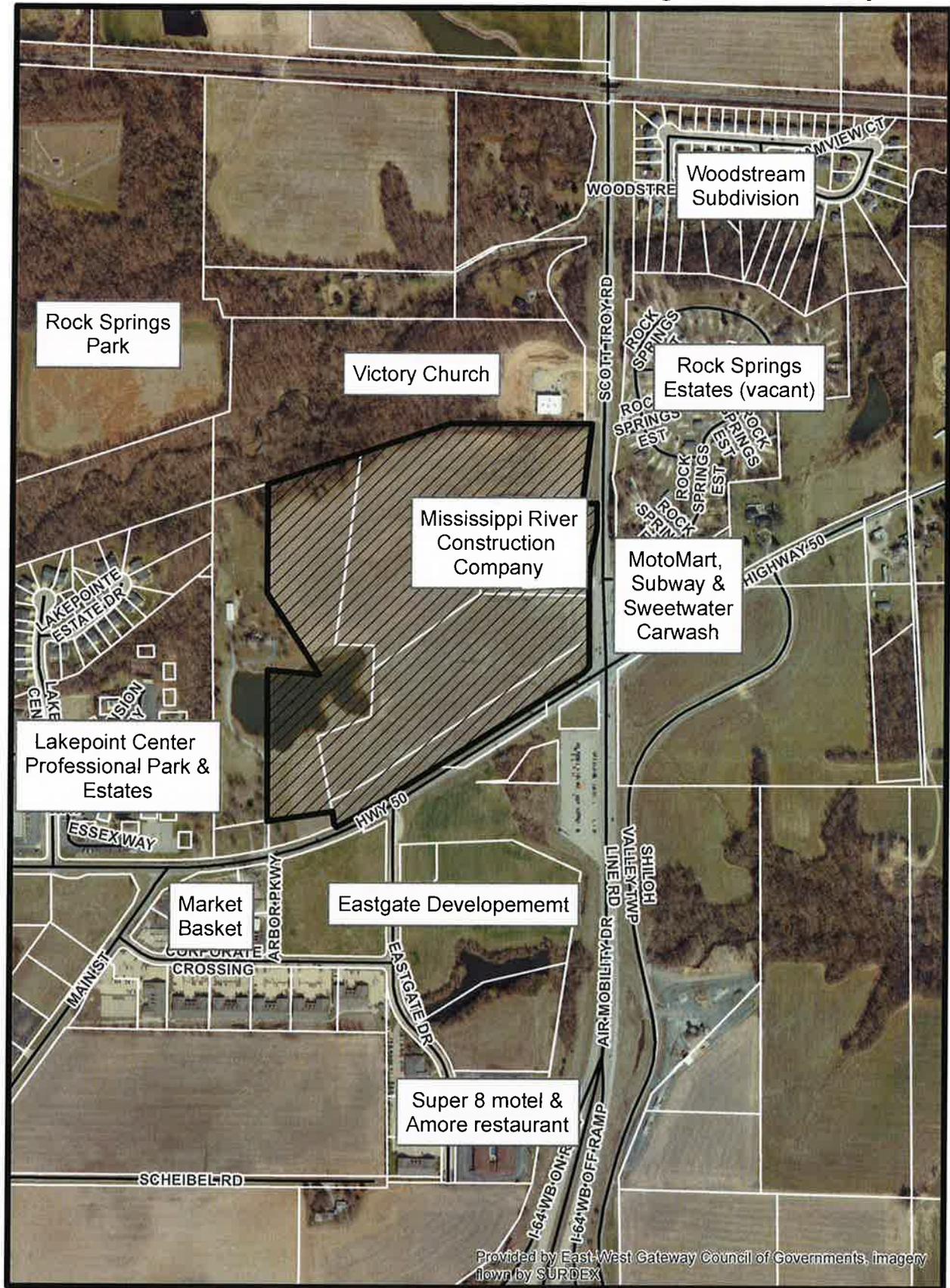


Provided by East-West Gateway Council of Governments, imagery flown by SURDEX

 Subject Property



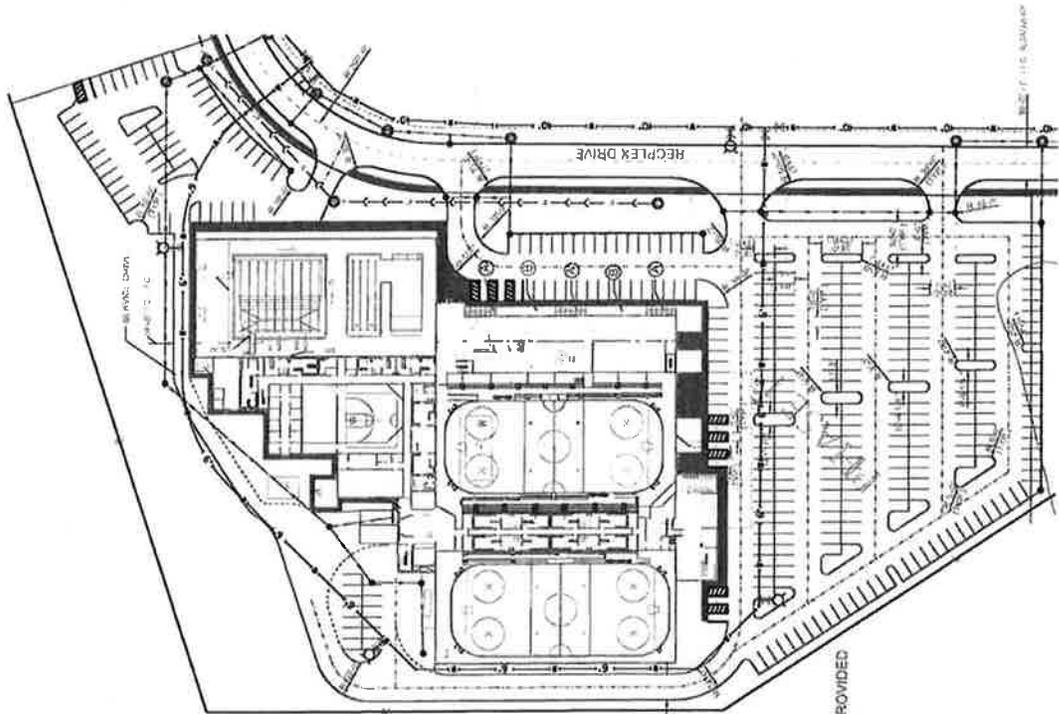
P2014-10: Four Point Center - Surrounding Land Use Map



Provided by East-West Gateway Council of Governments. Imagery flown by SURDEX

 Subject Property





351 STANDARD SPACES
 351 SPACES FOR 351 CARS
 TOTAL OF 360 SPACES PROVIDED
 360 SPACES REQUIRED

LEGEND
 (A) MEMORIAL SPONSOR BRICK PAVERS
 (B) LANDSCAPE AREA

LEGEND
 SIDEWALK

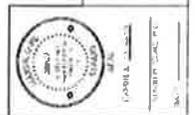
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITTING	1/17/14	...
2
3
4

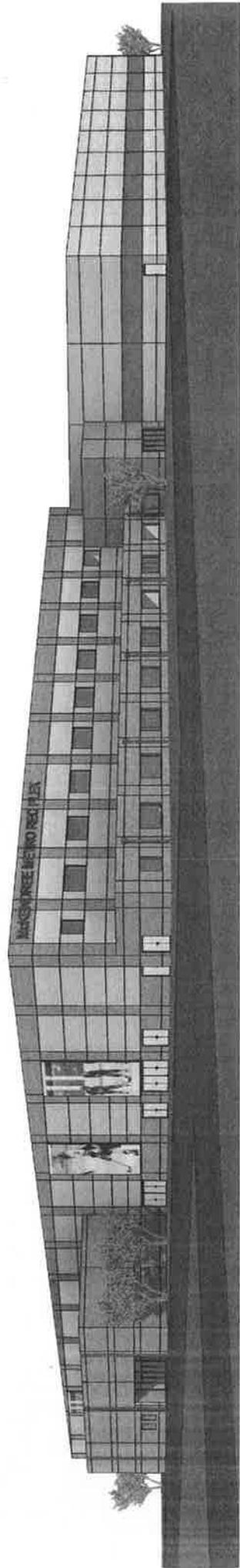
DATE REVISIONS

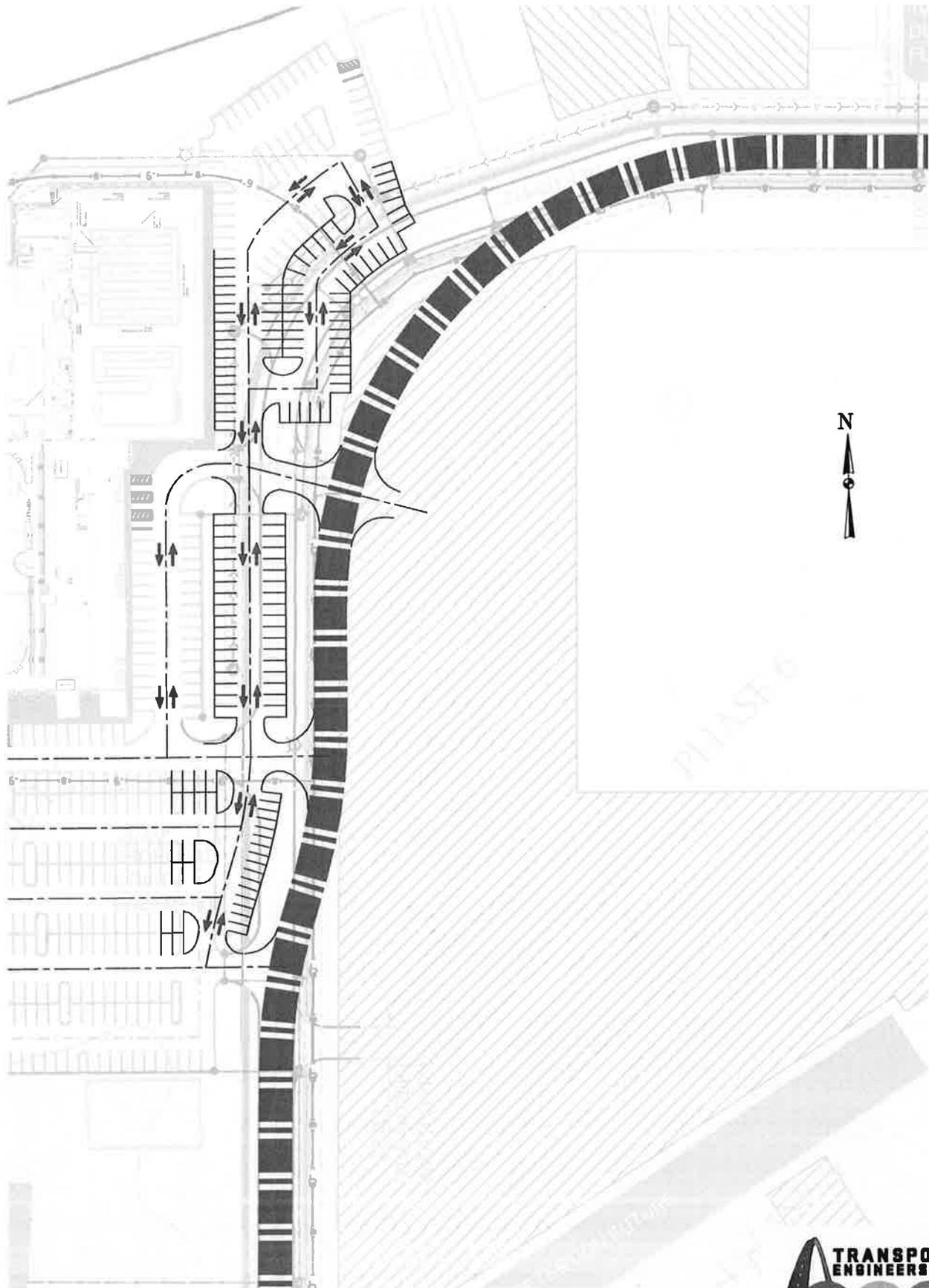
PHASE ONE PLAN
 PUB DEVELOPMENT OF
 THE FOUR POINTS CENTER
 O'FALLON, ILLINOIS
 SI STRATEGY

PROJECT NO. CH4821
 DATE 1/17/14
 SHEET NO. 4
 OF 5 SHEETS

CURL & ASSOCIATES, INC.









Summary of Findings and Conclusions

Based upon the preceding discussion, the following may be concluded regarding the traffic impacts of the proposed Four Points Center.

1. The existing signalized intersection at US 50 and Scott Troy Road currently functions at a poor level of service mainly due to the very high traffic volumes on westbound approach turning left to I-64 and the southbound through traffic to I-64.
2. Per the Major Thoroughfare Plan Upgrade for Northeast Quadrant of The City of O'Fallon, Illinois publication, sidewalk should be constructed along both frontages of the site. Pedestrian accommodations should be provided properly across the two Recplex Drive intersections. The sidewalk should connect to the existing sidewalk on the Victory Church site to the north. Any improvements to the US 50 and Scott Troy Road intersection should provide appropriate pedestrian accommodations from the site to the existing park-and-ride lot to the south and the existing gas station to the east. Pedestrian accommodations crossing US 50 at the Recplex Drive/Eastgate Drive intersection should also be considered.
3. No access points to site, besides Recplex Drive, were analyzed with this report. It is suggested to minimize access to Scott Troy Road and US 50 by providing access to Recplex Drive for the proposed internal lots. If additional access points are wanted, additional analysis would be required.
4. The two proposed Recplex Drive intersections should be acceptable as side-street stopped-controlled intersections in the 2015 Phase One Build condition assuming the following off-site improvements are implemented:
 - a. Each entrance should have separate left or left/thru and right turn exit lanes.
 - b. A southbound right turn-lane and northbound left-turn lane should be constructed at the intersection of Scott Troy Road and Recplex Drive.
 - c. The intersection of US 50 and Recplex Drive/Eastgate Drive should be constructed with separate eastbound left and right-turn lanes. Separate westbound left and right-turn lanes should also be constructed. The intersection should be constructed with the assumption that it will be signalized in a later phase.
 - d. No physical improvements are proposed to US 50 and Scott Troy Road for Phase One. The existing signal shall be retimed to mitigate the traffic generated by Phase One.



5. Given the above, the following improvements should be considered before the permitting of Phase Four as shown in the conceptual site plan included in this report:
 - a. The intersection of US 50 and Recplex Drive/Eastgate Drive should be signalized.
 - b. Interconnect should be provided between the three signalized intersections along US 50.
 - c. Excessive delay for the eastbound approach of Recplex Drive exiting onto Scott Troy Road should be expected. One solution would be to move this access to 1,000 feet or further from US 50 and signalize. The intersection will meet signal warrants. We acknowledge that this location may be off of the site.
 - d. The intersection of US 50 and Scott Troy Road should be reconstructed to accommodate the following which represent the maximum amount of capacity this at-grade intersection can reasonably be expected to provide:
 - i. The northbound approach should be reconstructed with dual left, two through lanes and a separate right-turn lane.
 - ii. The eastbound approach should be reconstructed with dual left, two through lanes and a separate right turn-lane.
 - iii. The southbound approach should be sufficient with the existing dual through lanes and separate single left and right-turn lanes.
 - iv. The westbound approach should be sufficient with the existing dual left-turn lanes; however, two through lanes and a separate right-turn lane should be provided.
6. When designing and constructing the off-site improvements in phases such as suggested, care should be taken to minimize the future impacts to items constructed in previous phases.
7. Given that the expected excessive delay for the eastbound approach of Recplex Drive at Scott Troy Road could create a safety hazard, the following are suggested revisions to the site plan which should be addressed before permitting of the development:
 - a. The intersection of Scott Troy Road and Recplex Drive could be converted to $\frac{3}{4}$ access restricting left-turn movements out of the site.

The left-out traffic will need to be reallocated to the intersection of US 50 and Recplex Drive and dual southbound left lanes created. These additional trips will then need to be redirected to the eastbound dual lefts turns at US 50 and Scott Troy Road.



- b. If a signalized intersection is wanted, Recplex Drive should be redesigned so that it intersects Scott Troy Road as far north as the available property allows so that the required spacing (1000' minimum and 0.25 miles preferred) is met. This may require that the northern side of Recplex Drive cannot be developed. This signalized intersection could also become the primary signalized access to future use of the property currently occupied by Rock Spring Estate Mobile Home Park.

8. Given the conceptual nature of the current site plan and the results of the above suggestions, it is recommended that this traffic study be updated prior to the permitting of Phase Four. By that time, the anticipated land uses and possible tenants should be better known, and the site generated traffic can be refined to better estimate the impacts of the ultimate development and recommend required mitigation requirements.

We trust that you will find this report useful in evaluating the traffic impacts associated with the proposed Four Points Center in O'Fallon, Illinois. Please contact our St. Louis office should you have any questions or comments concerning this material.

Sincerely,

Lee Cannon, P.E., PTOE
Principal – Traffic Engineer



MEMORANDUM

TO: Community Development Committee
FROM: Justin Randall, Senior City Planner
THROUGH: Ted Shekell, Director of Community Development
DATE: March 23, 2015
SUBJECT: P2014-10 & S15-01: McKendree Rec Plex / Four Points Center
TIF and Business Districts (1st Reading)

Recommendations

The Joint Review Board held a public meeting on February 10, 2015 and moved to approve the TIF District on February 24, 2015. The City Council held the required Public Hearing at the March 16, 2015 Council Meeting.

Staff recommends approval of the following ordinances:

1. Ordinance to Amend TIF #1
2. Ordinance Authorizing Execution of Intergovernmental Agreement with School District
3. Ordinance Approving the Route 50 / Scott-Troy Road TIF Redevelopment Plan
4. Ordinance Designating the Project Area as a Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act
5. Ordinance Adopting Tax Increment Financing for the Route 50 / Scott-Troy Road Redevelopment Project Area
6. Ordinance Authorizing the Execution of the Redevelopment Agreement with S.I. Strategy, LLC for Phase 1 of the Four Points Center (McKendree Rec Plex)
7. Ordinance to Set a Public Hearing Date - Route 50 / Scott-Troy Road Business District

Project Background and Summary

In conjunction with the proposed Four Points Center, the applicant has requested approval of a new TIF district for project area. The project area is located in the Illinois 158 Corridor TIF (aka O'Fallon TIF #1), which was created in 1995 and set to expire in 2018. Due to constraints on the existing TIF, the developer requested to create a new TIF District and has requested the creation of a Business District for the 45-acre development. The City must approve a number of items to accomplish the establishment of the Route 50 / Scott-Troy Road TIF and the Route 50 / Scott-Troy Road Business District.

Amendment to TIF #1

The first item the City of O'Fallon must address is the existing O'Fallon TIF #1. Since the property has an existing TIF in place, the City Council must amend the existing boundaries of the O'Fallon TIF #1 to remove the property from the TIF. The City Council may amend the existing O'Fallon TIF #1 boundaries via an ordinance, which has been attached. Based on the order in which the ordinances have to be passed, a yes vote for the amendment of O'Fallon TIF #1 would imply a yes vote to the establishment of the Route 50 / Scott-Troy Road TIF as well.

Route 50 / Scott-Troy Road TIF District

The City of O'Fallon has met all the statutory requirements of the TIF Act in creating a new TIF District, including notice and holding a meeting with the Joint Review Board. The Joint Review Board held a public meeting on February 10, 2015 and moved to approve the TIF District on February 24, 2015. The recommendation of the Joint

Review Board was based on a negotiated pass through to the taxing districts of 50% on the McKendree Rec Plex and 25% on all other development within the Four Points Center. Staff has included an ordinance authorizing the city to enter into an Intergovernmental Agreement with the school districts on the creation of the Route 50 / Scott-Troy Road TIF District.

Attached are four Ordinances, upon their approval, will create the TIF for the McKendree Rec Plex and Four Points Center (Route 50 / Scott-Troy Road TIF) and allow TIF to be utilized as a redevelopment tool for that area and enter into a redevelopment agreement with the developer

1. Ordinance Approving TIF Redevelopment Plan
2. Ordinance Designating the Project Area as a Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act.
3. Ordinance Adopting Tax Increment Financing for the Route 50 / Scott-Troy Road Redevelopment Project Area
4. Ordinance Authorizing the Execution of the Redevelopment Agreement with S.I. Strategy, LLC for Phase 1 of the Four Points Center (McKendree Rec Plex)

Route 50 / Scott-Troy Road Business District

Additionally, the petitioner has requested the creation of a Business District, which will allow the developer to collect up to an additional one-percent (1%) sales tax within the development. This is an additional tax on retail goods above and beyond what is current collected in the City of O'Fallon. This is not a sales tax rebate. Attached is the Draft Business District Plan and Ordinance to Set a Public Hearing for the Business District. The action for the April 6, 2015 City Council meeting is approval of an ordinance (required by state law) to set the Public Hearing for May 4, 2015.

Attachments:

1. Ordinance to Amend O'Fallon TIF #1
2. Ordinance Authorizing Execution of Intergovernmental Agreement with School District
 - a. Exhibit A: Draft Intergovernmental Agreement
3. Ordinance Approving the Route 50 / Scott-Troy Road TIF Redevelopment Plan
 - a. Exhibit A: Boundary Description
 - b. Exhibit B: Route 50 / Scott-Troy Road TIF Plan (Budget Sheet only for Print Version)
4. Ordinance Designating the Project Area as a Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act
 - a. Exhibit A: Boundary Description
5. Ordinance Adopting Tax Increment Financing for the Route 50 / Scott-Troy Road Redevelopment Project Area
6. Ordinance Authorizing the Execution of the Redevelopment Agreement with S.I. Strategy, LLC for Phase 1 of the Four Points Center (McKendree Rec Plex)
 - a. Exhibit A: Redevelopment Agreement
7. Ordinance to Set a Public Hearing Date - Route 50 / Scott-Troy Road Business District
8. Route 50 / Scott-Troy Road Business District Plan

ORDINANCE NO. _____

**ORDINANCE APPROVING THE 2015
AMENDMENT TO THE CITY OF
O'FALLON TIF REDEVELOPMENT
PROJECT AREA NO. 1**

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, 65 5/11-74.4-1 et. seq., hereinafter referred to as the "Act", the City of O'Fallon (the "City") did on June 19, 1995 adopt Ordinances 1765, 1766 and 1767, which approved a Redevelopment Plan and Project (the "Plan"), designated a redevelopment project area and established tax increment financing for a specific area legally described therein and commonly referred to as the TIF No. 1 (the "Project Area"); and

WHEREAS, pursuant to the Act, the City amended the Plan and Project Area boundary by adding certain properties to the Project Area and making other such changes as deemed necessary; and

WHEREAS, it is now desirable and for the best interest of the citizens of the City to amend the Area boundaries by removing certain property and street rights-of-way from the Area in order to establish a new TIF redevelopment project area known as the Route 50/Scott-Troy Road Redevelopment Project Area; and

WHEREAS, subsection 11-74.4-5(c) of the Act provides that a redevelopment plan and redevelopment project area may be amended, provided that changes which do not:

- (1) add additional parcels of property to the proposed redevelopment project area;
- (2) substantially affect the general land uses proposed in the redevelopment plan;
- (3) substantially change the nature of the redevelopment project;
- (4) increase the total estimated redevelopment project costs set out in the re-development plan by more than 5% after adjustment for inflation from the date the plan was adopted;
- (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan; or,
- (6) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10,

may be made without further public hearing, and related notices and procedures including the convening of a joint review board as set forth in Section 11-74.4-6 of the Act, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested parties registry, provided for under Section 11-74.4-4.2, and by publication in a newspaper of general circulation within the affected taxing districts. Such notice by mail and by publication shall each occur not later than 10 days following the adoption by ordinance of such changes; and

WHEREAS, the change to the Project Area boundary involves the removal of property and, therefore, may be made without further hearing and related notices and procedures:

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF O’FALLON, ILLINOIS, that:

Section 1. The area described in the attached Exhibit A is hereby removed from the TIF Area No. 1.

Section 2. The City Clerk is hereby directed to notify the County Clerk of this 2015 Amendment.

Section 3. The City Clerk is hereby directed, within 10 days from the date of passage and approval, give notice of the passage of this Ordinance by mail to each affected taxing district and registrant on the interested parties registry and publish said notice in the O’Fallon Progress, a newspaper of general circulation within the affecting taxing districts.

Section 4. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Passed by the City Council this _____ day of _____ 2015.

ATTEST: Approved by the Mayor this _____ day
(seal) of _____ 2015.

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

ROLL CALL:	McCoskey	Meile	True	Albrecht	Mouser	Hagarty	Drolet, J.	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Roach	Bennett	Cardona	Hursey	Holden	Cozad	Gerrish	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									

Attachment: Exhibit A – Area to be removed from TIF Area No. 1

Exhibit A

Area to be removed from City of O'Fallon TIF Redevelopment Project Area No. 1

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE, NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, 248.61 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE, CONTINUING NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON SAID SOUTHEASTERLY LINE, 418.69 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WESTMORE DEVELOPMENT IN DEED BOOK 3083 ON PAGE 1042 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST, 441.64 FEET; THENCE, SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 599.83 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 120.00 FEET TO THE EAST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, SOUTHERLY FOLLOWING THE EAST R.O.W. LINE OF SCOTT-TROY ROAD UNTIL IT INTERSECTS THE NORTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY FOLLOWING THE NORTH R.O.W. LINE OF U.S. ROUTE 50, 157.00 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50, SOUTH 56 DEGREES 40 MINUTES 06 SECONDS WEST, 941.00 FEET; THENCE, ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50 ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1877.08 FEET, A CHORD BEARING, SOUTH 57 DEGREES 11 MINUTES 53 SECONDS WEST, AND A CHORD DISTANCE OF 34.23 FEET; THENCE, NORTH 32 DEGREES 16 MINUTES 46 SECONDS WEST, 128.00 FEET; THENCE, ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1749.08 FEET, A CHORD BEARING, SOUTH 62 DEGREES 05 MINUTES 35 SECONDS WEST, AND A CHORD DISTANCE OF 266.70 FEET; THENCE, SOUTH 12 DEGREES 09 MINUTES 12 SECONDS EAST, 51.90 FEET; THENCE, SOUTH 77 DEGREES 46 MINUTES 09 SECONDS WEST ON THE NORTHERLY LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS IN DEED BOOK 2680 ON PAGE 1156 IN SAID RECORDER OF DEED'S OFFICE, 289.17 FEET; THENCE, NORTH 00 DEGREES 38 MINUTES 08 SECONDS EAST, 666.02 FEET; THENCE, SOUTH 85 DEGREES 33 MINUTES 41 SECONDS EAST, 230.00 FEET; THENCE, NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST, 425.00 FEET; THENCE, NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, 476.32 FEET TO THE POINT OF BEGINNING.

Parcel ID Numbers (PIN)

04-33.0-200-033
04-28.0-400-032
04-28.0-400-028
04-33.0-200-019
04-33.0-200-025
04-33.0-200-026 (partially removed from TIF 1)

Totaling approximately 47 acres, including existing public ROW (44 acres net of ROW).

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF
O’FALLON (“CITY”) WHICH
AUTHORIZES THE EXECUTION OF AN
INTERGOVERNMENTAL
AGREEMENT WITH O’FALLON
COMMUNITY SCHOOL DISTRICT NO. 90
AND O’FALLON TOWNSHIP HIGH SCHOOL
DISTRICT NO. 203
 (“SCHOOL DISTRICTS”)**

WHEREAS, the City of O’Fallon, St. Clair County, Illinois (“City”) is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution (“Constitution”) and the laws of the State of Illinois, including particularly the Illinois Municipal Code (the “Municipal Code”), and all laws amendatory thereof and supplementary thereto (Chapter 65, Act 5, Illinois Compiled Statutes (2006)); and

WHEREAS, the City and School Districts are authorized and empowered by Article VII, Section 10 of the Constitution of the State of Illinois (1970) and 5 ILCS 220/1, *et. seq.*, to enter into intergovernmental agreements for any purpose not prohibited by law; and

WHEREAS, the City adopted a certain Redevelopment Plan entitled “Route 50/Scott-Troy Road Tax Increment Financing Redevelopment Plan and Project” within established geographic boundaries and tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et. seq.* (hereinafter the “Act”); and

WHEREAS, the purpose of the plan is to foster economic development in the City and to attract business and new jobs to the City, thus providing increased tax revenues to the City and the taxing districts within its boundaries; and

WHEREAS, the Act allows a municipality to pledge all or a portion of incremental property tax revenues generated within a TIF Area to repayment of certain redevelopment project costs and/or bonds or notes issued to fund such costs, and provides that the portion of incremental property tax revenues not so pledged may be declared as surplus and distributed to all Taxing Districts; and

WHEREAS, the continued provision of quality education by the School Districts is important to the City and its citizens and is critical to attracting business and further economic development in the City, in that the existence of good public schools is an important factor in the location of commercial development and residential development; and

WHEREAS, the City wants to ensure that all of the Taxing Districts get a fair share of the tax increment revenue from the redevelopment project.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF O’FALLON, ILLINOIS, as follows:

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT (hereinafter referred to as the “Agreement”) is made and entered into this ___ day of _____, 2015, by and between the City of O’Fallon, Illinois, an Illinois Municipal Corporation (hereinafter referred to as the “City”), O’Fallon Community School District No. 90 and O’Fallon Township High School District No. 203 (hereinafter referred to as “School Districts”).

RECITALS

1. The City and School Districts are authorized and empowered by Article VII, Section 10 of the Constitution of the State of Illinois (1970) and 5 ILCS 220/1, *et seq.*, to enter into intergovernmental agreements for any purpose not prohibited by law.

2. The City proposes to adopt a certain Redevelopment Plan (hereinafter the “Plan”), entitled Route 50/Scott-Troy Road Tax Increment Financing Redevelopment Plan and Project, within established geographic boundaries for a tax increment financing area (hereinafter the “TIF Area”) and Tax Increment Financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74,4-1, *et seq.* (hereinafter the “Act”).

3. The purpose of the Plan is to foster economic development in the City and to attract business and new jobs to the City, thus providing increased tax revenues for the City and the Taxing Districts within its boundaries.

4. The Act allows a municipality to pledge all or a portion of incremental property tax revenues generated within a TIF Area to payment of certain redevelopment project costs and / or bonds or notes issued to fund such costs, and provides that the portion of incremental property tax revenues not so pledged may be declared as surplus and distributed to the Taxing Districts.

5. The continued provision of quality education by the School Districts is important to the City and its citizens and is critical to attracting business and further economic development in the City, in that the existence of good public schools is an important factor in the location of commercial development and residential development.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE RECITALS AND FOLLOWING AGREEMENTS, THE CITY AND SCHOOL DISTRICTS HEREBY AGREE AS FOLLOWS:

6. That the preceding recitations in the upper part of this Intergovernmental Agreement are restated, realleged, and adopted as paragraph six (6) of this Intergovernmental Agreement.

7. The TIF Area will generate tax increment revenues, and the City will provide for annual surplus declarations of a portion of said revenues as follows:

a. Rec-Plex property – 50% of all incremental revenue generated by these properties. The legal description for the Rec-Plex property is attached as Exhibit A and incorporated herein by reference.

b. All other properties in the TIF Area – 25% of all incremental revenue generated by these properties. The legal description for the entire TIF Area is attached as Exhibit B. The property in the TIF Area that will receive a 25% annual surplus declaration to all of the taxing districts is calculated by simply subtracting the property in Exhibit A from the property in Exhibit B.

8. The annual surplus declarations as described in the preceding paragraph will be distributed as surplus funds pursuant to the Act to the following taxing districts:

- a. O’Fallon Community School District No. 90
- b. Southwestern Illinois College
- c. City of O’Fallon
- d. O’Fallon Township
- e. O’Fallon Township High School #203
- f. O’Fallon Public Library
- g. St. Clair County

The remaining tax increment revenues generated each year within the TIF Area will remain in the Special Allocation Fund for allocation by the City as it deems appropriate pursuant to the provisions of the Plan

and the Act.

9. All surplus funds shall be distributed annually within 180 days after the close of the City's fiscal year by being paid by the Treasurer to the County Collector in direct proportion to the tax incremental revenue received as a result of an increase in the equalized assessed value of property in the TIF Area. The County Collector shall thereafter make distribution to the respective taxing districts in the same manner and proportion as the most recent distribution by the County Collector to the affected districts of real property taxes from real property in the redevelopment project area.

10. In consideration of the foregoing, the School Districts hereby covenant and agree to forego the commencement, institution or assertion of any claim or cause of action related thereto against the City and of any and all claims, challenges, demands, obligations or causes of action relating to: (i) the adoption of the Plan for the TIF Area; (ii) the designation of the TIF Area as a combination "blighted area and conservation area" and a "redevelopment project area" eligible for the benefits of the TIF Act; (iii) the adoption and implementation of the TIF Act in the TIF Area; (iv) the Project; or, (v) any obligations of the City or any other governmental entity in connection with the Project.

11. Each subscriber to this Agreement warrants to the other that he or she is authorized to execute, deliver and perform this Agreement in the name of the party on whose behalf he or she executes it.

12. Each subscriber further warrants to the other that execution, delivery and performance of this Agreement does not constitute a breach or violation of any agreement or undertaking by which the represented party is bound.

13. This Agreement shall be binding on the parties and their respective successors. It may be assigned only by written agreement of the parties.

14. Each party shall, at the request and expense of the other, have its representative execute and deliver any further documents and do all acts and things as that party may be reasonably required to do to carry out the true intent and meaning of this Agreement.

15. This Agreement is governed by and shall be interpreted and enforced in accordance with

the laws of the State of Illinois.

16. No waiver of any term or condition of this Agreement shall be binding or effective for any purpose unless expressed in writing and signed on behalf of the party making the waiver, and then shall be effective only in the specific instance and for the purpose given. This Agreement shall not in any other way be modified except in writing signed on behalf of both parties.

17. This Agreement expresses the complete and final understanding of the parties with respect to its subject matter.

18. This Agreement shall remain in effect for the entire duration of the Plan or until the Plan is terminated by the City in the manner provided in Section 5/11-74.4-8 of the Act. Obligations which have accrued prior to the termination date shall remain in effect until satisfied.

19. This Agreement shall be approved by appropriate action of the Board of Education of the School Districts and the Mayor and City Council of the City.

IN WITNESS WHEREOF, this Agreement is executed on the date set forth above.

CITY OF O’FALLON

By: _____
Gary Graham, Mayor
City of O’Fallon

BOARD OF EDUCATION OF O’FALLON COMMUNITY SCHOOL DISTRICT NO. 90

By: _____
Its President

BOARD OF EDUCATION OF O’FALLON TOWNSHIP HIGH SCHOOL DISTRICT NO. 203

By: _____
Its President

ORDINANCE NO. _____

**ORDINANCE APPROVING THE
TAX INCREMENT REDEVELOPMENT
PLAN AND PROJECT FOR THE ROUTE
50/SCOTT-TROY ROAD
REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of O'Fallon, Illinois desires to implement tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended (hereinafter referred to as the "Act") for the proposed Redevelopment Plan and Project (the "Plan") within the municipal boundaries of the City of O'Fallon and within the Route 50/Scott-Troy Road Redevelopment Project Area (the "Area") as described in Exhibit A attached to this Ordinance, which constitutes in the aggregate more than 1-1/2 acres; and

WHEREAS, the Plan was made available for public inspection at the City Clerk's office on **January 9, 2015**; and

WHEREAS, the City Council did on **January 20, 2015** pass **Resolution 2015-04**, setting **March 16, 2015** as the date for the public hearing on the Plan, with the time and place of such hearing identified in said Resolution; and

WHEREAS, due notice with respect to such hearing was given pursuant to Section 11-74.4-5 and 6 of the Act, said notice being given to the taxing districts overlapping the Area and to the State of Illinois by certified mail on **January 22, 2015**; by publication on **February 26, 2015** and **March 5, 2015**; and by certified mail to property owners within the Area on **February 27, 2015**; and

WHEREAS, due notice with respect to the availability of the Plan, which contains an eligibility report, was given by mail on **January 21, 2015** pursuant to Section 11-74.4-5 of the Act, said notice being given to all interested parties that have registered with the City concerning the proposed Route 50/Scott-Troy Road Redevelopment Project Area; and

WHEREAS, due notice with respect to the availability of the Plan, which contains an eligibility report, was given by mail on **January 21, 2015** pursuant to Section 11-74.4-5 of the Act, said notice being given to all residential addresses that, after a good faith effort, the City determined are located within 750 feet of the boundaries of the Route 50/Scott-Troy Road Redevelopment Project Area; and

WHEREAS, pursuant to Section 11-74.4-5 of the Act, the City Council caused a public hearing to be held relative to the Redevelopment Plan and Redevelopment Project and the proposed designation of the Route 50/Scott-Troy Road Redevelopment Project Area on **March 16, 2015** at the O'Fallon City Hall; and

WHEREAS, the Redevelopment Plan and Project set forth the factors constituting the need for abatement of conditions in the proposed redevelopment project area that have led to blight or may lead to blight, and the City Council has reviewed testimony concerning such need presented at the public hearing and has reviewed the eligibility report, contained in the Plan, and is generally informed of the conditions in the Route 50/Scott-Troy Road Redevelopment Project Area as the terms "conservation area" and "blighted area" are defined in the Act; and

WHEREAS, the City Council has reviewed the conditions pertaining to lack of private investment in the Route 50/Scott-Troy Road Redevelopment Project Area to determine whether private development would take place in the proposed Area as a whole without the adoption of the proposed Tax Increment Redevelopment Plan and Project for said Area; and

WHEREAS, the City Council has reviewed the conditions pertaining to real property in the Route 50/Scott-Troy Road Redevelopment Project Area to determine whether contiguous parcels of real property in said Project Area would be substantially benefited by the proposed redevelopment project improvements; and

WHEREAS, the City Council has reviewed the proposed Route 50/Scott-Troy Road Tax Increment Redevelopment Plan and Project and the Comprehensive Plan for the development of the municipality as a whole to determine whether the proposed Redevelopment Plan and Project conforms to the Comprehensive Plan of the City.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF O'FALLON, ILLINOIS, that:

Section 1. The City Council of the City of O'Fallon makes the following findings:

- a. The area constituting the Route 50/Scott-Troy Road Redevelopment Project Area in the City of O'Fallon, Illinois is described in Exhibit A, attached hereto and made part of this Ordinance.
- b. There exist conditions that cause the area to be designated as a Redevelopment Project Area to be classified as a combination "blighted area" and "conservation area" as defined in Section 11-74.4-3 of the Act.
- c. The Route 50/Scott-Troy Road Redevelopment Project Area, on the whole, has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Redevelopment Plan.
- d. The Redevelopment Plan and Redevelopment Project for the Route 50/Scott-Troy Road Redevelopment Project Area conforms to the Comprehensive Plan for the development of the City as a whole.
- e. The parcels of real property in the proposed Redevelopment Project Area are contiguous and only those contiguous parcels of real property, which will be substantially benefited by the proposed redevelopment project, are included in the Route 50/Scott-Troy Road Redevelopment Project Area.
- f. The estimated date for the completion of the Redevelopment Project or retirement of obligations issued shall not be later than December 31 of the year in which the payment to the City Treasurer as provided in subsection (b) of Section 11-74.4-8 of the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the Route 50/Scott-Troy Road Redevelopment Project Area is adopted.

Section 2. The Tax Increment Redevelopment Plan and Project for the Route 50/Scott-Troy Road Redevelopment Project Area, dated **January 8, 2015** and Addendum A, dated **February 25, 2015**, which was the subject matter of the hearing held on **March 16, 2015**, is hereby adopted and approved. A copy of the aforementioned Redevelopment Plan and Project, marked as Exhibit B, is attached to and made a part of this Ordinance.

Section 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Passed by the City Council this _____ day of _____ 2015.

ATTEST: Approved by the Mayor this _____ day
 (seal) of _____ 2015.

 Philip A. Goodwin, City Clerk

 Gary L. Graham, Mayor

ROLL CALL:	McCoskey	Meile	True	Albrecht	Mouser	Hagarty	Drolet, J.	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Roach	Bennett	Cardona	Hursey	Holden	Cozad	Gerrish	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									

Attachments:

Exhibit A: Boundary Description - Route 50/Scott-Troy Road Redevelopment Project Area

Exhibit B: Tax Increment Financing Redevelopment Plan and Project, Route 50/Scott-Troy Road Redevelopment Project Area

Exhibit A

Boundary Description Route 50 / Scott-Troy Road Redevelopment Project Area

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE, NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, 248.61 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE, CONTINUING NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON SAID SOUTHEASTERLY LINE, 418.69 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WESTMORE DEVELOPMENT IN DEED BOOK 3083 ON PAGE 1042 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST, 441.64 FEET; THENCE, SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 599.83 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 120.00 FEET TO THE EAST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, SOUTHERLY FOLLOWING THE EAST R.O.W. LINE OF SCOTT-TROY ROAD UNTIL IT INTERSECTS THE NORTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY FOLLOWING THE NORTH R.O.W. LINE OF U.S. ROUTE 50, 157.00 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50, SOUTH 56 DEGREES 40 MINUTES 06 SECONDS WEST, 941.00 FEET; THENCE, ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50 ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1877.08 FEET, A CHORD BEARING, SOUTH 57 DEGREES 11 MINUTES 53 SECONDS WEST, AND A CHORD DISTANCE OF 34.23 FEET; THENCE, NORTH 32 DEGREES 16 MINUTES 46 SECONDS WEST, 128.00 FEET; THENCE, ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1749.08 FEET, A CHORD BEARING, SOUTH 62 DEGREES 05 MINUTES 35 SECONDS WEST, AND A CHORD DISTANCE OF 266.70 FEET; THENCE, SOUTH 12 DEGREES 09 MINUTES 12 SECONDS EAST, 51.90 FEET; THENCE, SOUTH 77 DEGREES 46 MINUTES 09 SECONDS WEST ON THE NORTHERLY LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS IN DEED BOOK 2680 ON PAGE 1156 IN SAID RECORDER OF DEED'S OFFICE, 289.17 FEET; THENCE, NORTH 00 DEGREES 38 MINUTES 08 SECONDS EAST, 666.02 FEET; THENCE, SOUTH 85 DEGREES 33 MINUTES 41 SECONDS EAST, 230.00 FEET; THENCE, NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST, 425.00 FEET; THENCE, NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, 476.32 FEET TO THE POINT OF BEGINNING.

Parcel ID Numbers (PIN)

04-33.0-200-033
04-28.0-400-032
04-28.0-400-028
04-33.0-200-019
04-33.0-200-025
04-33.0-200-026 (part of)

Totaling approximately 47 acres, including existing public ROW (44 acres net of ROW).

Tax Increment Financing Redevelopment Plan & Project

.....
Route 50/Scott-Troy Road
Redevelopment Project Area
.....

Prepared for

City of O'Fallon, Illinois

Prepared by

PGAV PLANNERS

January 8, 2015

Addendum A - February 25, 2015

ADDENDUM A

TIF Redevelopment Plan and Project Route 50/Scott-Troy Road Redevelopment Project Area

City of O'Fallon, Illinois

February 25, 2015

This Addendum forms a part of and modifies the Tax Increment Financing ("TIF") Redevelopment Plan and Project (the "Plan") for the Route 50/Scott-Troy Road Redevelopment Project Area (the "Project Area"), dated January 8, 2015.

A. General Background

The Plan was prepared pursuant to the provisions of the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et. seq.* (the "TIF Act"). The Plan has been available for public review since January 9, 2015, has been reviewed by the Joint Review Board. The public hearing on the Plan is scheduled for March 16, 2015.

The Joint Review Board recommended that the Plan be approved by the City Council subject to the condition making certain changes to the Plan regarding the percentage of tax increment revenue that is to be declared as surplus annually. This Addendum A contains the requested changes to the Plan.

B. Plan Revisions

Page 29: Section D of Section V of the Plan, in its entirety, is replaced with the following:

D. Assessment of Financial Impact

The City finds adoption of this Redevelopment Plan will not place significant additional demands on facilities or services for any local taxing body. Police and fire services and facilities appear to be adequate for the foreseeable future.

To offset any unforeseen taxing district costs directly resulting from the Redevelopment Projects, the City commits to pass-through to the taxing districts an annually declared surplus. The annual surplus declarations shall be as follows:

- Rec-Plex property: 50% annual surplus of the tax increment generated
- All other properties in Area: 25% annual surplus of tax increment generated

The City will return the annual surplus tax increment revenue to St. Clair County for distribution on a pro-rata basis back to the affected taxing bodies in accordance with the requirements of the TIF Act.

C. Authorization for Plan Changes

The TIF Act permits changes to the Plan at the public hearing or any time prior to the adoption of the ordinance approving the redevelopment plan, subject to certain limitations. Specifically, the Act states:

“At the public hearing or at any time prior to the adoption by the municipality of an ordinance approving a redevelopment plan, the municipality may make changes in the redevelopment plan... Changes which do not

- (1) add additional parcels of property to the proposed redevelopment project area,*
- (2) substantially affect the general land uses proposed in the redevelopment plan,*
- (3) substantially change the nature of or extend the life of the redevelopment project, or*
- (4) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area, to a total of more than 10,*

may be made without further hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested parties registry, provided for under Section 11-74.4-4.2, and by publication in a newspaper of general circulation within the affected taxing district. Such notice by mail and by publication shall each occur not later than 10 days following the adoption by ordinance of such changes.”

The change associated with this Addendum A does not result in any of the above listed conditions. Therefore, the changes to the Plan made by this Addendum A are permissible subject to the notification requirements of the Act.

CITY OF O'FALLON, ILLINOIS

MAYOR

Gary L. Graham

CITY COUNCIL

Gene McCoskey, Ward 1
Richie Meile, Ward 1
Ed True, Ward 2
Jerry Albrecht, Ward 2
Jerry Mouser, Ward 3
Kevin Hagarty, Ward 3
John Drolet, Ward 4

Herb Roach, Ward 4
Michael Bennett, Ward 5
Courtney Cardona, Ward 5
Jim Hursey, Ward 6
Ray Holden, Ward 6
David Cozad, Ward 7
Harlan Gerrish, Ward 7

CITY CLERK

Phil Goodwin

CITY ADMINISTRATOR

Walter Denton

COMMUNITY DEVELOPMENT DIRECTOR

Ted Shekell

FINANCE DIRECTOR

Sandy Evans

CITY ATTORNEY

Dale Funk

SPECIAL TIF COUNSEL

Terry Bruckert

TABLE OF CONTENTS

	PAGE
SECTION I INTRODUCTION	1
SECTION II STATUTORY BASIS FOR TAX INCREMENT FINANCING AND SUMMARY OF FINDINGS.....	3
A. Introduction	3
B. Summary of Findings	4
SECTION III BASIS FOR ELIGIBILITY OF THE AREA AND FINDINGS	5
A. Introduction	5
B. Statutory Qualifications.....	5
C. Investigation and Analysis of Blighting Factors	10
D. Analysis of Conditions in the Area.....	10
E. Summary of Eligibility Factors for the Area	16
SECTION IV REDEVELOPMENT PLAN	19
A. Introduction	19
B. General Land Uses to Apply	19
C. Objectives	19
D. Program Policies to Accomplish Objectives	20
E. Redevelopment Projects.....	20
F. Estimated Redevelopment Project Costs	21
G. Description of Redevelopment Project Costs	22
SECTION V OTHER FINDINGS AND REQUIREMENTS	28
A. Conformance with Comprehensive Plan	28
B. Area, on the Whole, Not Subject to Growth and Development	28
C. Would Not be Developed “but for” TIF	29
D. Assessment of Financial Impact	29
E. Estimated Date for Completion of the Redevelopment Projects	30
F. Most Recent Equalized Assessed Valuation.....	30
G. Redevelopment Valuation.....	30
H. Source of Funds.....	30
I. Nature and Term of Obligations	31

J.	Fair Employment Practices and Affirmative Action	31
K.	Reviewing and Amending the TIF Plan.....	31

EXHIBITS

A – Redevelopment Project Area Boundary	2
B – Summary of Blighting and Conservation Area Factors	12
C – Existing Conditions Map	13
D– Comparison of EAV Growth Rates (2008-2013)	15
E – Estimated Redevelopment Project Costs.....	22
F – EAV Trends (2008-2013)	28

APPENDIX

- Attachment A – Resolution No. 2014-44
- Attachment B – Boundary Description
- Attachment C – Existing Conditions Photos
- Attachment D – Parcel Identification Numbers, Property Owner and 2013 EAV

SECTION I

INTRODUCTION

On October 6, 2014, the O'Fallon City Council passed **Resolution 2014-44** stating the City's intent to designate a portion of the City as a tax increment finance (TIF) Redevelopment Project Area and to induce development interest within such area (see **Attachment A** in the Appendix). The area being considered for designation as a TIF area generally includes parcels of property located northwest of the intersection of U.S. Route 50 and Scott-Troy Road. The area is referred to herein as the Route 50/Scott-Troy Road Redevelopment Project Area (the "Area"). The boundaries of the Area are as shown on **Exhibit A - Redevelopment Project Area Boundary**. Refer also to the **Boundary Description** contained in the **Appendix** as **Attachment B**.

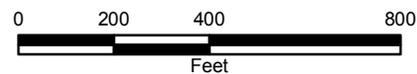
The Area contains approximately 47 acres, including existing public rights-of-way (44 acres net of rights-of-way). There are five vacant parcels and one improved parcels located in the Area. The conditions that qualify both improved and vacant land for tax increment financing are documented in **Section III** of this Plan.

The City may consider the use of tax increment financing, as well as other economic development resources as available, to facilitate private investment within the Area. It is the intent of the City to induce the investment of significant private capital in the Area, which will also induce spillover investment in neighboring areas. A housing impact study need not be performed since there are no residential units within the Area (per Section 11-74.4-3(n) (5) of the Illinois Tax Increment Allocation Redevelopment Act).

The Act sets forth the requirements and procedures for establishing a Redevelopment Project Area and a Redevelopment Plan. The following sections of this report present the findings of eligibility and the Redevelopment Plan and Project for the Area, as well as other findings, evidence, and documentation required by the Act.

Exhibit A Redevelopment Project Area Boundary

Route 50 / Scott-Troy
Road Redevelopment Project Area



SECTION II

STATUTORY BASIS FOR TAX INCREMENT FINANCING AND SUMMARY OF FINDINGS

A. Introduction

Tax increment financing (TIF) is a local funding mechanism created by the "Tax Increment Allocation Redevelopment Act" (the "Act"). The Act is found at 65 ILCS 5/11-74.4-1 *et. seq.*

As used, herein, the term **Redevelopment Project** means any public and private development project in furtherance of the objectives of a Redevelopment Plan. The term **Redevelopment Project Area** means an area designated by the municipality, which is not less in the aggregate than 1-1/2 acres and in respect to which the municipality has made a finding that there exist conditions that cause the area to be classified as an industrial park conservation area, a blighted area or a conservation area, or a combination of both blighted areas and conservation areas. **Redevelopment Plan** means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions, the existence of which qualified the Redevelopment Project Area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the Redevelopment Project Area.

The concept behind the tax increment law is straightforward and allows a municipality to carry out redevelopment activities on a local basis. Redevelopment that occurs in a designated Redevelopment Project Area results in an increase in the equalized assessed valuation (EAV) of the property and, thus, generates increased real property tax revenues. This increase or "increment" can be used to finance "redevelopment project costs" such as land acquisition, site clearance, building rehabilitation, interest subsidy, construction of public infrastructure, and other redevelopment project costs as permitted by the Act.

The Illinois General Assembly made various findings in adopting the Act; among them were:

1. That there exists in many municipalities within the State blighted, conservation and industrial park conservation areas; and
2. That the eradication of blighted areas and the treatment and improvement of conservation areas by redevelopment projects are essential to the public interest and welfare.

These findings were made on the basis that the presence of blight, or conditions that lead to blight, is detrimental to the safety, health, welfare and morals of the public.

To ensure that the exercise of these powers is proper and in the public interest, the Act specifies certain requirements that must be met before a municipality can proceed with implementing a Redevelopment Plan. One of these requirements is that the municipality must demonstrate that a Redevelopment Project Area qualifies under the provisions of the Act. With the definitions set forth in the Act, a Redevelopment Project Area may qualify either as a blighted area, a conservation area, or a combination of both blighted area and conservation area, or an industrial park conservation area.

B. Summary of Findings

The following findings and evidentiary documentation is made with respect to the proposed Redevelopment Project Area:

1. The Area as a whole meets the statutory requirements as a **combination blighted area and conservation area**. Furthermore, the factors necessary to make these findings exist to a meaningful extent and are distributed throughout the Area.
2. The Area exceeds the statutory minimum size of 1-1/2 acres.
3. The Area contains contiguous parcels of real property.
4. If this Plan is adopted and implemented by the City, it is reasonable to say that all properties included in the Area would benefit substantially from being included in the Area.
5. The Redevelopment Project Area, as a whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to occur without public assistance. Further evidence of this is presented in **Section V** of this document.

SECTION III

BASIS FOR ELIGIBILITY OF THE AREA AND FINDINGS

A. Introduction

A Redevelopment Project Area, according to the Act, is that area designated by a municipality in which the finding is made that there exist conditions that cause the area to be classified as a blighted area, conservation area, or combination thereof, or an industrial park conservation area. The criteria and the individual factors defining each of these categories of eligibility are defined in the Act.

This Section documents the relevant statutory requirements and how the subject area meets the eligibility criteria.

B. Statutory Qualifications

The Act defines the factors that must be present in order for an area to qualify for TIF. The following provides the statutory definitions of the qualifying factors relating to a blighted area and a conservation area:

1. Eligibility of a Blighted Area

The following is taken from the Act wherein it states that a "...**blighted area**" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where."¹

- a. **"If improved**, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of five (5) or more of the following factors, each of which is (i) present, with that presence documented to a meaningful extent, so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and (ii) reasonably distributed throughout the improved part of the Redevelopment Project Area."

- (1) "Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings, or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed."

¹ Emphasis added with bold or underlined text.

- (2) “Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.”
- (3) “Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters, and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.”
- (4) “Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.”
- (5) “Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.”
- (6) “Excessive vacancies. The presence of buildings that are unoccupied or underutilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.”
- (7) “Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.”
- (8) “Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area,

(ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.”

- (9) “Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety, and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.”
- (10) “Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.”
- (11) “Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.”
- (12) “Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan, or that the plan was not followed at the time of the area’s development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.”

- (13) “The total equalized assessed value of the proposed redevelopment project area has declined for three (3) of the last five (5) calendar years prior to the year in which the redevelopment project area is designated, or is increasing at an annual rate that is less than the balance of the municipality for three (3) of the last five (5) calendar years for which information is available, or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three (3) of the last five (5) calendar years prior to the year in which the redevelopment project area is designated.”

- b. **“If vacant**, the sound growth of the Redevelopment Project Area is impaired by a combination of two (2) or more of the following factors, each of which is (i) present, with that presence documented to a meaningful extent, so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:”
 - (1) **“Obsolete platting** of vacant land that results in parcels of limited or narrow size, or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys, or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way, or that omitted easements for public utilities.”
 - (2) “Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.”
 - (3) “Tax and special assessment delinquencies exist, or the property has been the subject of tax sales under the Property Tax Code within the last five (5) years.”
 - (4) **“Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.”**
 - (5) “The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the Redevelopment Project Area.”

- (6) **“The total equalized assessed value of the proposed Redevelopment Project Area has declined** for three (3) of the last five (5) calendar years prior to the year in which the Redevelopment Project Area is designated, or is increasing at an annual rate that is less than the balance of the municipality for three (3) of the last five (5) calendar years for which information is available, or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three (3) of the last five (5) calendar years prior to the year in which the Redevelopment Project Area is designated.”
- c. If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented to a meaningful extent, so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:
- (1) The area consists of one or more unused quarries, mines, or strip mine ponds.
 - (2) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.
 - (3) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area, as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.
 - (4) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.
 - (5) Prior to the effective date of this amendatory Act of the 91st General Assembly, the area is not less than 50, nor more than 100 acres, and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within five (5) years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (a) of this subsection, the area has been designated as a town or Village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

- (6) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

2. Eligibility of a Conservation Area

The Act further states that a "... "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which **50% or more of the structures in the area have an age of 35 years or more**. Such an area is not yet a blighted area, but because of a combination of three (3) or more of the [13 factors applicable to the improved area] is detrimental to the public safety, health, morals or welfare, and such an area may become a blighted area." *[Bracketed text replaces "following factors" from the Act.]*

C. Investigation and Analysis of Blighting Factors

In determining whether or not the Area meets the eligibility requirements of the Act, research and field surveys were conducted by way of:

- Contacts with City of O'Fallon officials who are knowledgeable of Area conditions and history.
- On-site field examination of conditions within the Area by experienced staff of PGAV.
- Use of definitions contained in the Act.
- Adherence to basic findings of need as established by the Illinois General Assembly in establishing tax increment financing, which became effective January 10, 1977.
- Examination of St. Clair County real property tax assessment records.

To ensure that the exercise of these powers is proper and in the public interest, the Act specifies certain requirements that must be met before a municipality can proceed with implementing a redevelopment project. One of these is that the municipality must demonstrate that the Area qualifies. An analysis of the physical conditions and presence of blighting factors relating to the Area was commissioned by the City. The result and documentation of this effort are summarized below.

D. Analysis of Conditions in the Area

PGAV staff conducted field investigations to document existing conditions in the Area on October 13, 2014. This field work was supplemented with discussions with City staff and analysis of property assessment data from St. Clair County. **Exhibit B – Summary of Blighting and Conservation**

Area Factors provides a quantitative breakdown of the various factors. **Exhibit C – Existing Conditions** provides a map indicating certain blighting and conservation area factors that were determined to exist within the Area. A blighting factor that relates to property valuation trends is presented later in this Section.

1. Findings on Improved Area

- a. Summary of Findings on Age of Structures: Age is a prerequisite factor in determining if all or a portion of a redevelopment project area qualifies as a "conservation area". As is clearly set forth in the Act, 50% or more of the structures in the redevelopment project area must have an age of 35 years or greater in order to meet this criteria. There is only one building in the Area. According to St. Clair County Assessor records shows that the building was built in 1965. Thus, this improved parcel meets the threshold as a conservation area.
- b. Summary of Findings on Deterioration: Deteriorated conditions were recorded on the aforementioned building. The field survey of exterior building condition found deteriorated wood siding and fascia boards and metal roofing. The parking and equipment storage surfaces areas were deteriorated as well. **Attachment C** in the **Appendix** provides **photos** of examples of the conditions found on this property.
- c. Summary of Findings on Structures Below Minimum Code Standards: The existing building located at 201 Scott-Troy Road was originally built in 1965 according to County records and is occupied by construction contractor. According to the City's Building & Zoning Supervisor, there are multiple code deficiencies associated with this building. Applicable codes adopted by City include:
 - 2012 Fire Prevention Code
 - 2012 International Existing Building Code
 - Illinois Plumbing Code (Part 890, Illinois Administrative Code)

The City also enforces the Illinois Accessibility Code within its municipal limits. What are currently known as code deficiencies, albeit they would be considered "grandfathered", includes:

- Plumbing Code: No plumbing permits have been issued and due to its current use, grease interceptors and slug drains would be required by code and none exist at this time.

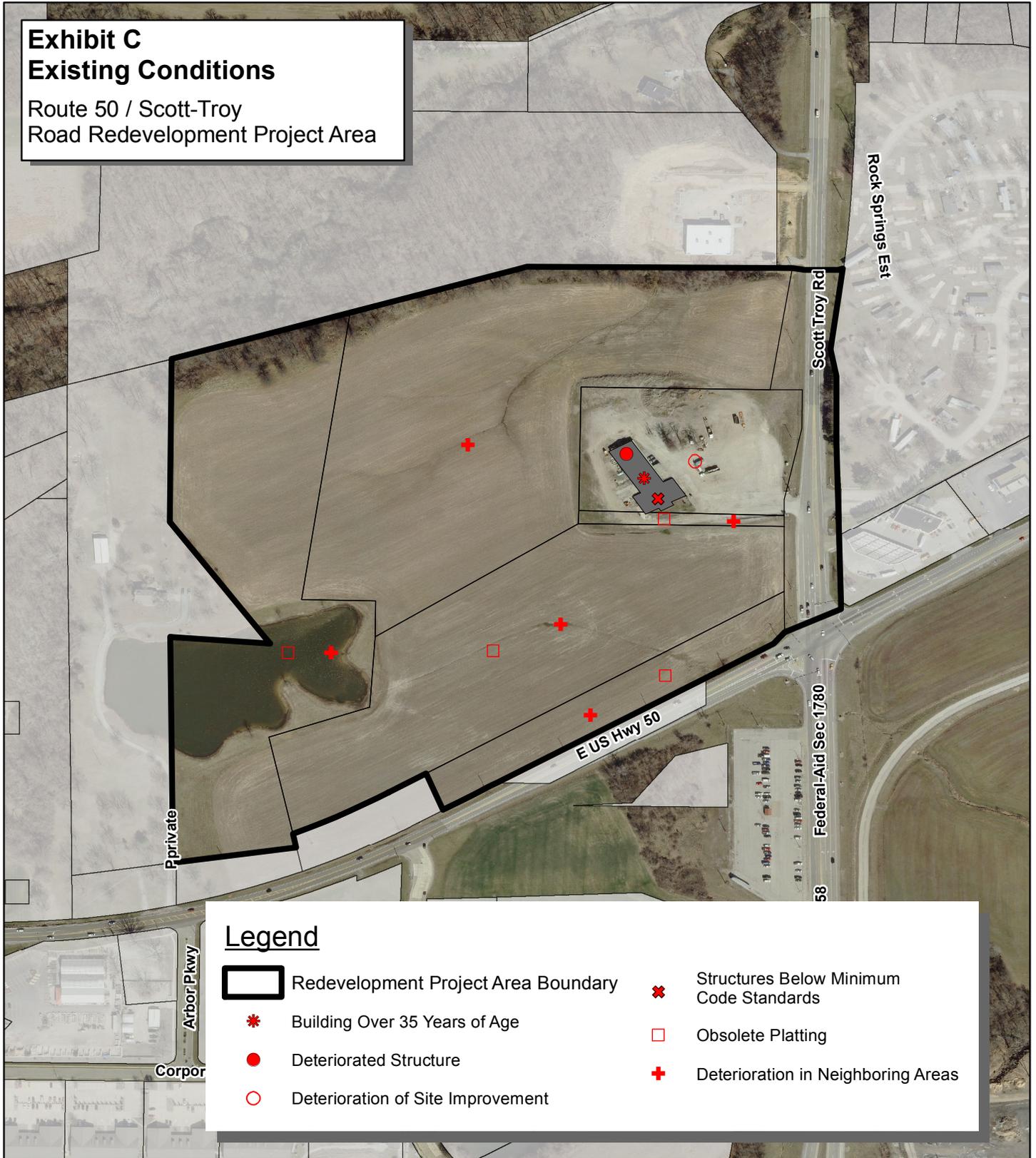
Exhibit B
SUMMARY OF BLIGHTING AND
CONSERVATION AREA FACTORS
Route 50 / Scott-Troy Road Redevelopment Project Area
City of O'Fallon, Illinois

	Total	%
No. of improved parcels	1	17%
No. of vacant parcels	5	83%
Total parcels	6	100%
No. of buildings	1	100%
No. of buildings 35 years or older	1	100%
No. housing units	0	
No. housing units occupied	0	
Sub-Area Count	1	100%
IMPROVED LAND FACTORS:		
No. of deteriorated buildings	1	100%
No. of parcels with site improvements that are deteriorated	1	100%
No. of dilapidated buildings	0	0%
No. of obsolete buildings	0	0%
No. of structures below minimum code	1	100%
No. of buildings lacking ventilation, light or sanitation facilities	0	0%
No. of building with illegal uses	0	0%
Number of buildings with vacancies ²	0	0%
No. of parcels with excessive land coverage or overcrowding of structures	0	0%
Inadequate utilities	0	0%
Deleterious land use or layout (by Sub-Area)	1	100%
Lack of community planning	0	0%
Declining or Sub-par EAV Growth	Yes	
VACANT LAND FACTORS (2 or More):		
Obsolete Platting	4	80%
Diversity of Ownership	0	0%
Tax Delinquencies	0	0%
Deterioration of Struct. Or Site Improvements in Neighboring Areas	5	100%
Environmental Clean-up	nd ¹	
Declining or Sub-par EAV Growth	Yes	
VACANT LAND FACTORS (1 or More):		
Unused Quarry, Mines, Rail, etc.	0	0%
Blighted Before Vacant	0	0%
Chronic Flooding	0	0%
Unused or Illegal Disposal Site	0	0%

¹ Not determined.

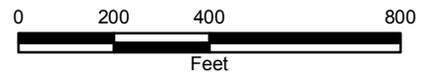
Exhibit C Existing Conditions

Route 50 / Scott-Troy
Road Redevelopment Project Area



Legend

- Redevelopment Project Area Boundary
- * Building Over 35 Years of Age
- Deteriorated Structure
- Deterioration of Site Improvement
- ✖ Structures Below Minimum Code Standards
- Obsolete Platting
- + Deterioration in Neighboring Areas



- **Building Code:** Additional uses and additions have been added over the years, without the benefit of permits or inspections. These are inconsistent with current codes and would be non-compliant. There is limited separation of uses, such as (B) business use and (S1) storage use, which would indicate that the structure would not meet building code requirements for the proper separation for the type construction (5B) wood frame, size of structure and of uses, such as firewalls or fire partitions.
 - **Fire Prevention Code:** The building is not currently protected with an automatic fire sprinkler system. A Building of this size, type construction and current use would require a sprinkler system under the current code.
 - **ADA Accessibility:** The building and the parking lot have no provisions for compliance with the Illinois Accessibility Code.
- d. Summary of Findings Regarding Deleterious Land Use or Layout: The heavy construction contracting company operations that is located within the Area, while a legal use of the property, is not compatible with the emerging residential and commercial development occurring around it. The building associated with this business is deteriorated and the site improvements (asphalt pavement) are deteriorated as well. Dump trucks and heavy construction equipment are stored outdoors and within view of neighboring areas. This business is more of an industrial use and detracts from the desirability of the real estate that surrounds it.
- e. Summary of Findings Regarding Declining or Lagging Rate of Growth of Total Equalized Assessed Valuation: This factor is applicable to the entire Area (vacant areas as well as improved areas in aggregate). The total equalized assessed valuation (EAV) for the Area has not kept pace with the Consumer Price Index for four (3) of the last five (5) calendar years. A comparison of EAV for the Area and the balance of the City are shown as **Exhibit D, Comparison of EAV Growth Rates (2008-2013)**. The property with the building on it declined in assessed value over the last 5 years by about \$1,100 or minus 2.4%. Oddly, all of the vacant tracts currently used largely for row crops increased in value but not to the degree to keep the aggregate value of the Area from declining during this period.

2. Findings on Vacant Land

There are 5 vacant parcels that constitute approximately 40 of the 44 net acres of land within the Area. Several blighting factors, as they are applied to vacant land, are present.

Before documenting the presence of these factors, the following is presented to show that the **Area can be considered vacant land pursuant to the definition of “vacant land”** in the Act, to wit:

“(v) As used in subsection (a) of Section 11-74.4-3 of this Act, “vacant land” means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the Redevelopment Project Area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided;...”

Exhibit D
COMPARISON OF EAV GROWTH RATES (2008-2013)

Route 50/Scott-Troy Road Redevelopment Project Area

Tax Year	EAV of Redevelopment Project Area	CPI *	Area Growth Rate Less Than CPI?
2008	\$ 46,621	215.303	
2009	\$ 48,962	214.537	
Annual Percent Change	5.0%	-0.4%	NO
2010	\$ 49,336	218.056	
Annual Percent Change	0.8%	1.6%	YES
2011	\$ 49,746	224.939	
Annual Percent Change	0.8%	3.2%	YES
2012	\$ 43,523	229.594	
Annual Percent Change	-12.5%	2.1%	YES
2013	\$ 45,519	232.957	
Annual Percent Change	4.6%	1.5%	NO

* Consumer Price Index for All Urban Consumers. Source: U.S. Bureau of Labor Statistics

Clearly, the property has been used for agricultural purposes within the last 5 years. However, the developer who currently has options to purchase the properties located within the Area is in the process of platting the property. This subdivision plat is being designed to accommodate a mixed use development containing an indoor recreation complex (with ice hockey rinks, swimming pool and a half gymnasium court), restaurants, retail space, hotels and office space. The subdivision plat for what is currently referred to as “Four Points Cen-

ter” will have been reviewed and approved by the City, in accordance with its subdivision ordinance, prior to the adoption of this TIF Redevelopment Plan. With the subdivision plat being approved, the agricultural use restriction will have been removed.

The statutory definition of a “blighted area” is satisfied with respect to how this definition is applied to vacant land under two subsections of the Act.

First, subsection 11.74.4-4-3 (a) (2) of the Act states that “[i]f vacant, the sound growth of the Redevelopment Project Area is impaired by **2 or more of the following factors** each of which is (i) is present, with that presence documented to a meaningful extent, so that a municipality may reasonably find that the factor is clearly present within the intent of the Act, and (ii) is reasonably distributed throughout the vacant part of the Redevelopment Project Area to which it pertains:...” (emphasis added).

The first factor present to a meaningful extent is **deterioration of structures or site improvements in neighboring areas adjacent to the vacant land**. With respect to the deteriorated structures or site improvements, all of the vacant parcels have a direct view of the heavy construction contracting company operation that is located within the Area. The building associated with this business is deteriorated and the site improvements (asphalt pavement). This business is more of an industrial use and detracts from the desirability of the real estate that surrounds it for development as commercial or residential use. In addition, three of the five vacant tracts have direct views to the Rock Springs Estates mobile home park across Scott-Troy Road. This mobile home park is now largely void of mobile homes. Several of remaining mobile homes that remain are old and deteriorated. The existing streets and remaining mobile home pads are in deteriorated condition as well. There are also building material and parts of mobile homes scattered throughout this obsolete mobile home park. These conditions detract from the desirability to develop the portion of the Area that fronts onto Scott-Troy Road. Photos of the above described conditions are located in **Attachment C** in the **Appendix**.

Another factor that is present is **obsolete platting**. Four of the five vacant parcels exhibit such conditions due to configurations of parcels of irregular size, shape, and lack of street access that would make it difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements. In fact the current parcel layout is being ignored with respect to the platting for the proposed redevelopment project.

The third factor present with respect to the vacant land is that **the total equalized assessed valuation (EAV) of the proposed Area has increased at a rate that is less than inflation for three (3) of the last five (5) years** (see Exhibit D).

E. Summary of Eligibility Factors for the Area

The study found that the Area contains conditions that qualify it as a ***combination blighted area and conservation area***. The following summarizes the existence of the most predominant blighting/conservation factors existing within the Area (conservation factors applying to the improved parcels and blighting factors applying to the vacant land):

- **Age** – The one building located in the Area is greater than 35 years old, which exceeds the statutory threshold of 50% (prerequisite for a “conservation area”).
- **Deterioration** – The single building and the site improvements exhibit signs of deterioration as defined in the Act.
- **Structures below minimum code** – The one existing structure does not meet the City’s current codes.
- **Deleterious land use or layout** – The heavy construction contracting company operations that is located within the Area, while a legal use of the property, is not suitable for the emerging residential and commercial development occurring around it.
- **Sub-par EAV growth** – The growth in the Area’s equalized assessed valuation has failed to keep pace with inflation for three (3) of the last five (5) years. In fact, the Area has declined in EAV, from 2008 to 2013, by \$1,100 or minus 2.4%. This factor applies to both improved and vacant land.
- **Deteriorated buildings or site improvements in neighboring areas** – The vacant tracts are negatively impacted by the presences of the adjoining deteriorated construction contractor’s building and site improvements and the Rock Springs mobile home park located across Scott-Troy Road.
- **Obsolete Platting** – Four of the five vacant tracts exhibit obsolete platting.

The eligibility analysis found that the Redevelopment Project Area contains conditions that qualify it as a combination blighted area and conservation area, as these terms are defined in the Act, and that these parcels will likely continue to exhibit blighted conditions or conditions that may lead to blight without a program of intervention to induce private investment in the Area. These findings were made considering the qualifying factors that are present to a meaningful extent and distributed throughout the Area. The qualifying conditions that exist in the Redevelopment Project Area are detrimental to the Area, as a whole, and the long-term interests of the taxing districts. The various

projects contemplated in this tax increment program will serve to eliminate these deficiencies and enhance the tax base of all overlapping taxing authorities.

Therefore, it is concluded that public intervention is necessary because of the conditions documented herein and the lack of private investment in the Area. The City Council should review this analysis and, if satisfied with the findings contained herein, proceed with the adoption of these findings in conjunction with the adoption of the Redevelopment Plan and establishment of the Redevelopment Project Area.

SECTION IV

REDEVELOPMENT PLAN

A. Introduction

This section presents the Redevelopment Plan and Project for the Route 50/Scott-Troy Road Redevelopment Project Area. Pursuant to the Tax Increment Allocation Redevelopment Act, when the finding is made that an area qualifies as a conservation, blighted, combination of conservation and blighted areas, or industrial park conservation area, a Redevelopment Plan must be prepared. A **Redevelopment Plan** is defined in the Act as "the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the Redevelopment Project Area as a 'blighted area' or 'conservation area' or combination thereof or 'industrial park conservation area', and thereby to enhance the tax bases of the taxing districts which extend into the Redevelopment Project Area".

B. General Land Uses to Apply

The proposed use for the Area is for the development of a planned commercial center, known as Four Points Center, to be anchored by a large privately-owned multifunction rec-plex facility not found in the St. Louis metropolitan area. The proposed uses include:

- 130,000+ square foot indoor Rec-Plex containing:
 - Two sheets of NHL regulation ice & spectator seating
 - Olympic size swimming pool and diving boards/platform
 - Half basketball court
 - Locker rooms
- Retail space
- Restaurants
- Hotels
- Office space.

C. Objectives

The objectives of the Redevelopment Plan are:

1. Eliminate those conditions that qualify the Area as eligible for tax increment financing by carrying out the Redevelopment Plan.

2. Enhance the real estate tax base for the City and all overlapping taxing districts through the implementation and completion of the activities identified herein.
3. Encourage and assist private investment in development within the Area through the provision of financial assistance as permitted by the Act.
4. Provide for safe and efficient traffic circulation within and adjoining the Area.
5. Complete all public and private actions required in this Redevelopment Plan in an expeditious manner.

D. Program Policies to Accomplish Objectives

The City has determined that it is appropriate to provide limited financial incentives for private investment within the Area. It has been determined, through redevelopment strategies previously utilized by the City and communications between developer of the Four Points Center and the City, that tax increment financing constitutes a key component of leveraging private investment within the Area. It will be the policy of the City to incorporate appropriate provisions in a redevelopment agreement between the City and the developer to assure that redevelopment projects achieve the objectives stated herein and accomplish the various redevelopment projects described below.

E. Redevelopment Projects

To achieve the Plan objectives and the overall project proposed in the Plan, a number of public and private activities will need to be undertaken, including a combination of private developments and public investment in infrastructure improvements. Improvements and activities necessary to implement the Plan may include the following:

1. Private Redevelopment Activities:

- a. *Demolition of existing building.* Demolition and redevelopment of the existing improved property will be accomplished as part of the overall redevelopment plan.
- b. *Construction of private buildings.* New private buildings are proposed for the property consistent with the proposed used noted previously.

2. Public Redevelopment Activities:

Public improvements and support activities will be used to induce and complement private investment. These may include, but are not limited to, the following activities:

- a. *Site preparation.* In order to facilitate redevelopment, it may be necessary for TIF to help finance site preparation, including building demolition and other steps to prepare sites for development.
- b. *Public infrastructure improvements.* This would include using TIF funds to reimburse the developer for construction of public streets and installation of all necessary public utilities to serve the entire 44 acre tract.
- b. *Marketing of properties and promoting development opportunities.* The City will help to promote the opportunities available for new development within in the Area.
- d. *Other programs of financial assistance as may be provided by the City.* The Act defines eligible redevelopment project costs that are summarized in **Section F**. The City's involvement with redevelopment activities may include all those authorized by the Act, as needed.

3. Land Assembly, Displacement Certificate & Relocation Assistance:

Since there are no housing units within the Area, no displacement of inhabited housing units will be involved with this Redevelopment Plan.

F. Estimated Redevelopment Project Costs

The estimated costs associated with the eligible public redevelopment activities are presented in **Exhibit E**, on the following page, entitled **Estimated Redevelopment Project Costs**. This estimate includes reasonable or necessary costs incurred, or estimated to be incurred, in the implementation of this Redevelopment Plan. These estimated costs are subject to refinement as specific plans and designs are finalized and experience is gained in implementing this Redevelopment Plan and do not include financing costs or interest payments that may be incurred in conjunction with redevelopment projects.

In addition to the proposed TIF funding, the City may seek the assistance of various State of Illinois Departments (Department of Transportation, Department of Commerce and Economic Opportunity, etc.), or appropriate agencies of the Federal Government to assist in funding site preparation, infrastructure, or other required projects or improvements. To the extent additional funds can be secured from the State of Illinois, or any Federal program or other public or private sources, the City may use such funding sources in furtherance of the Redevelopment Plan and Project.

Exhibit E

ESTIMATED REDEVELOPMENT PROJECT COSTS
Route 50/Scott-Troy Road Redevelopment Project Area
City of O'Fallon, Illinois

Description	Estimated Cost
A. Public Works or Improvements <i>(Construction of streets, curb and gutters, utilities, and other public improvements)</i>	\$6,700,000
B. Property Assembly <i>(Acquisition of land and site preparation, including storm water detention)</i>	\$2,725,000
C. Building Rehabilitation/Retrofit	\$10,000
D. Taxing District Capital Costs	\$10,000
E. Job Training	\$10,000
F. Interest Costs Incurred by Developers <i>(30% of interest costs)</i>	\$500,000
G. Planning, Legal & Professional Services	\$300,000
H. General Administration	\$350,000
I. Financing Costs	See Note 3
J. Contingency	\$1,590,000
Total Estimated Costs	\$12,195,000

Notes:

1. All costs shown are in 2014 dollars.
2. Adjustments may be made among line items within the budget to reflect program implementation experience.
3. Municipal financing costs such as interest expense, capitalized interest and cost of issuance of obligations are not quantified herein. These costs are subject to prevailing market conditions and will be considered part of the total redevelopment pro
4. Private redevelopment costs and investment are in addition to the above.
5. The total estimated redevelopment project costs shall not be increased by more than 5% after adjustment for inflation from the date of the Plan adoption, per subsection 11-74.4.5 (c) of the Act.

G. Description of Redevelopment Project Costs

Costs that may be incurred by the City in implementing the Redevelopment Plan may include project costs and expenses as itemized in **Exhibit E**, subject to the definition of “redevelopment project costs” as contained in the Act, and any other costs that are eligible under said definition included in the “Contingency” line item. Itemized below is the statutory listing of “redevelopment project

costs” currently permitted by the Act [bold typeface added for emphasis]. Note that some of the following narrative has been paraphrased (see full definitions in the Act).

1. **Costs of studies, surveys, development of plans and specifications, wetland mitigation plans, implementation and administration** of the Redevelopment Plan, including but not limited to staff and professional service costs for architectural, engineering, legal, environmental, financial, planning or other services, subject to certain limitations:
 - a. There are limitations on contracts for certain professional services with respect to term, services, etc.
 - b. Annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a Redevelopment Project Area or approved a Redevelopment Plan.
 - c. Marketing costs are allowable if related to marketing sites within the Redevelopment Project Area to prospective businesses, developers and investors.
2. **Property assembly costs**, including but not limited to acquisition of land and other property, real or personal or interest therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground level environmental contamination, including but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land.
3. **Costs of rehabilitation**, reconstruction or repair or remodeling of existing public or private buildings, fixtures and leasehold improvements; and the cost of replacing an existing public building if, pursuant to the implementation of a redevelopment project, the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment.
4. **Costs of the construction of public works or improvements**, including any direct or indirect costs relating to Green Globes or LEED certified construction elements or construction elements with an equivalent certification, except that on and after November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11- 74.4- 3 of the Act unless either

- a. the construction of the new municipal building implements a redevelopment project that was included in a Redevelopment Plan that was adopted by the municipality prior to November 1, 1999; or
 - b. the municipality makes a reasonable determination in the Redevelopment Plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the Redevelopment Plan.
5. **Cost of job training and retraining projects**, including the cost of “welfare to work” programs implemented by businesses located within the Redevelopment Project Area.
6. **Financing costs**, including but not limited to, all necessary and incidental expenses **related to the issuance of obligations** (see definition of “obligations” in the Act), and which may include payment of interest on any obligations issued thereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding thirty-six (36) months thereafter, and including reasonable reserves related thereto.
7. To the extent the municipality by written agreement accepts and approves the same, all or a portion of a **taxing district's capital costs** resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the Redevelopment Plan and project.
 - a. For Redevelopment Project Areas designated (or Redevelopment Project Areas amended to add or increase the number of tax-increment-financing assisted housing units), an elementary, secondary, or unit school district’s increased costs attributable to assisted housing units located within the Redevelopment Project Area for which the developer or redeveloper receives financial assistance through and agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvement projects within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by the Act, shall be paid by the municipality from the Special Tax Allocation Fund under certain conditions. For specific conditions and formulae used to determine payments due to a school district, see Subsection 11-74.4-3 (q) (7.5) of the Act.
8. **Relocation costs** to the extent that a municipality determines that relocation costs shall be paid or it is required to make payment of relocation costs by Federal or State law or in order

to satisfy Subsection 11-74.4-3 (n) (7) of the Act (re: federal Uniform Relocation Assistance and Real Property Acquisition Policies Act requirements).

9. **Payments in lieu of taxes** (not common; see definition in Act).
10. **Costs of job training**, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, **incurred by one or more taxing districts**, provided that such costs:
 - a. are related to the establishment and maintenance of additional job training, advanced vocational education or career education or career education programs for persons employed or to be employed by employers located in a Redevelopment Project Area; and
 - b. when incurred by a taxing district(s) other than the municipality, are set forth in a written agreement between the municipality and the taxing district or taxing districts, which agreement describes the programs to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and types of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the terms of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act, and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of the School Code.
11. **Interest costs incurred by a redeveloper** related to the construction, renovation or rehabilitation of a redevelopment project provided that:
 - a. such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;
 - b. such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;
 - c. if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph, then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;
 - d. the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project, plus (ii)

redevelopment project costs, excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act;

- e. the cost limits set forth in subparagraphs (b) and (d) above shall be modified for the financing of rehabilitation or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (b) and (d) above;
 - f. Instead of the eligible costs provided by subparagraphs (b) and (d) above, as modified in this subparagraph, and notwithstanding any other provision of the Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. For further provisions on financing and eligible costs, see Subsection 11-74.4-3 (q) (11) of the Act.
12. Unless explicitly stated herein, the cost of construction of new privately owned buildings shall not be an eligible redevelopment project cost.
 13. None of the redevelopment project costs enumerated above shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the Redevelopment Project Area, while terminating operations at another Illinois location within 10 miles of the Redevelopment Project Area but outside the boundaries of the Redevelopment Project Area municipality. For purposes of this paragraph, termination means closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a Redevelopment Project Area; but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.
 14. No cost shall be a redevelopment project cost in a redevelopment project area if used to demolish, remove, or substantially modify a historic resource, after August 26, 2008 (the effective date of Public Act 95-934), unless no prudent and feasible alternative exists. "Historic resource" for the purpose of this item (14) means
 - a. place or structure that is included or eligible for inclusion on the National Register of Historic Places or
 - b. contributing structure in a district on the National Register of Historic Places.

This item (14) does not apply to a place or structure for which demolition, removal, or modification is subject to review by the preservation agency of a Certified Local Government designated as such by the National Park Service of the United States Department of the Interior.

SECTION V OTHER FINDINGS AND REQUIREMENTS

A. Conformance with Comprehensive Plan

Development projects proposed to be undertaken in implementing this Redevelopment Plan conform to the City of O'Fallon's 2006 Comprehensive Plan, which proposes "Regional Commercial" use for the Area. In addition, all development in the Area will comply with applicable codes and ordinances of the City.

B. Area, on the Whole, not Subject to Growth and Development

The fact that over 90 percent the real property in the Project Area is vacant land is sufficient enough to support the finding that the Project Area has not been subject to growth and development through investment by private enterprise. The only building in the Area was built in 1965 and later expanded. Given the existing condition of said building, it's apparent that there has been minimal investment in it. Property valuation trends further back up this finding. **Exhibit F, EAV Trends (2008-2013)** reveals that the entire Area has a 2013 assessed value that is \$1,101 less than it was in 2008. The Area hasn't even kept pace with inflation over this time period, which has been quite modest.

Exhibit F
EAV Trends (2008-2013)
 Route 50/Scott-Troy Road Redevelopment Project Area

	2008	2013	Change	Percent	Annual Percent Rate
EAV of Rte. 50/Scott-Troy Rd. RPA	\$ 46,621	\$ 45,519	\$ (1,101)	-2.4%	-0.5%
CPI ¹	215.303	232.957	17.654	8.2%	1.6%

¹ Consumer Price Index for All Urban Consumers. Source: U.S. Bureau of Labor Statistics.

Underscoring the above finding is that the assessed value of the entire Area for the 2013 tax year was only \$45,519, which translates to a market value of approximately \$136,600. This valuation equates to a market value of about \$3,100 per acre, which is considerably low.

C. Would Not be Developed "but for" Tax Increment Financing

The City has found that the Area would not reasonably be developed without the use of tax increment revenues. The City further commits that such incremental revenues will be utilized for the development and revitalization of the Area as provided in the Act. Underscoring the economic need for municipal financial assistance in the form of tax increment financing is the certainty that there will not be commitments for private development and revitalization without the City's commitment to provide such municipal financial assistance. The Developer proposing the project has demonstrated to the City's satisfaction that the return on investment in the Area is too small relative to the risk and does not make economic sense without TIF assistance to help underwrite some of the development costs.

D. Assessment of Financial Impact

The City finds adoption of this Redevelopment Plan will not place significant additional demands on facilities or services for any local taxing body. Police and fire services and facilities appear to be adequate for the foreseeable future.

To offset any unforeseen taxing district costs directly resulting from the Redevelopment Projects, the City commits to pass-through to the taxing districts an annually declared surplus. The annual surplus declarations shall be as follows:

- Rec-Plex property: No annual surplus
- Hotel properties: 25% annual surplus of tax increment generated
- All other properties in Area: 50% annual surplus of tax increment generated

After recovering the City's cost of preparing the TIF Plan and establishing the Project Area and accounting for annual implementation expenses (e.g., audit and related fees, annual notices, and annual reports to the Illinois Comptroller), the City will return, as surplus, the tax increment proceeds to identified above to St. Clair County for distribution on a pro-rata basis back to the affected local taxing bodies. Except for the initial TIF set up costs, it is anticipated that the annual costs of implementation will be relatively small and, therefore, the annual declared surplus will be close to, if not equal to, the property tax increment surpluses noted above.

The City and Joint Review Board will monitor the progress of the TIF program and its future impacts on all local taxing bodies. In the event significant adverse impediments are identified that increase demands for facilities or services in the future, the City will consider utilizing tax increment proceeds or other appropriate actions, to the extent possible, to assist in addressing the needs.

E. Estimated Date for Completion of the Redevelopment Projects

The estimated date for completion of the Redevelopment Project or retirement of obligations issued shall not be later than December 31st of the year in which the payment to the City Treasurer, as provided in subsection (b) of Section 11-74.4-8 of the Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the Area is adopted.

F. Most Recent Equalized Assessed Valuation

The most recent total EAV for the Area has been estimated by the City to be \$45,519. A table with **Parcel Identification Numbers and 2013 EAV** is located in the **Appendix as Attachment D**. This is accompanied by a map showing the location of the parcels within the Redevelopment Project Area. The County Clerk of St. Clair County will verify the base EAV for each parcel after adoption of the City ordinances approving the Redevelopment Plan and establishing the Area.

G. Redevelopment Valuation

Contingent on the adoption of this Plan and commitment by the City to the redevelopment program described herein, the City anticipates that the private redevelopment investment in the Area will increase the EAV of the Area by \$17 to \$18 million (2014 dollars) upon completion of the redevelopment projects. Note however, that the redevelopment projects will likely occur over an extended time period. The initial phase will be the Rec-Plex, which is estimated to have an approximate EAV of \$2.6 million.² The phase two restaurant/retail space, totaling approximately 16,000 square feet of building space is estimated to have an EAV of \$870,000. The third phase of two hotels is estimated to have an approximate EAV of \$2.5 million. It may take the balance of the life of the TIF district or longer for the remaining land to be developed that would add an additional estimated EAV of \$11 to \$12 million (bringing the total potential value to \$17 to \$18 million).

H. Source of Funds

The primary source of funds to pay for redevelopment project costs associated with implementing this Plan shall be funds collected pursuant to tax increment financing to be adopted by the City. Under such financing, tax increment revenue resulting from an increase in the EAV of property in

² Based on and estimated appraised (or "fair market") value of \$60/square foot. The only approximately comparable taxable property in the region is the Hardees Iceplex facility located in Chesterfield, Missouri. This facility of approximately 116,000 square feet was built in 1995 and has two professional size and one Olympic size rinks along with locker rooms, a food service grill and meeting/party space. This property had a 2014 appraised value by St. Louis County of \$40.74/square foot.

the Area shall be allocated to a special fund each year (the "Special Tax Allocation Fund"). The assets of the Special Tax Allocation Fund shall be used to pay redevelopment project costs and retire any obligations incurred to finance redevelopment project costs.

In order to expedite implementation of this Redevelopment Plan and construction of the public improvements, the City, pursuant to the authority granted to it under the Act, may issue bonds or other obligations to pay for the eligible redevelopment project costs. These obligations may be secured by future revenues to be collected and allocated to the Special Tax Allocation Fund.

If available, revenues from other economic development funding sources, public or private, may be utilized. These may include State and Federal programs, local retail sales tax, applicable revenues from any adjoining tax increment financing areas, and land disposition proceeds from the sale of land in the Area, as well as other revenues. The final decision concerning redistribution of yearly tax increment revenues may be made a part of a bond ordinance.

I. Nature and Term of Obligations

Without excluding other methods of City or private financing, the principal source of funding will be those deposits made into the Special Tax Allocation Fund of monies received from the taxes on the increased EAV (above the initial EAV) of real property in the Area. These monies may be used to reimburse private or public entities for the redevelopment project costs incurred or to amortize obligations issued pursuant to the Act for a term not to exceed 20 years bearing an annual interest rate as permitted by law. Revenues received in excess of 100% of funds necessary for the payment of principal and interest on the bonds and not needed for any other redevelopment project costs or early bond retirements shall be declared as surplus and become available for distribution to the taxing bodies to the extent that this distribution of surplus does not impair the financial viability of the any projects. One or more bond issues may be sold at any time in order to implement this Redevelopment Plan.

J. Fair Employment Practices and Affirmative Action

The City will insure that all private and public redevelopment activities are constructed in accordance with fair employment practices and affirmative action by any and all recipients of TIF assistance.

K. Reviewing and Amending the TIF Plan

This Redevelopment Plan may be amended in accordance with the provisions of the Act. Also, the City shall adhere to all reporting requirements and other statutory provisions.

APPENDIX

ATTACHMENT A

**O'Fallon City Council Resolution No. 2014-44
Route 50/Scott-Troy Road Redevelopment Project Area**

RESOLUTION 2014 - 44**RESOLUTION PROVIDING FOR A FEASIBILITY STUDY ON THE
DESIGNATION OF A PORTION OF THE CITY OF O'FALLON AS
A REDEVELOPMENT PROJECT AREA AND TO INDUCE
DEVELOPMENT INTEREST WITHIN SUCH AREA**

(Proposed Route 50/Scott Troy Road TIF Redevelopment Project Area)

WHEREAS, the City of O'Fallon (the "City") is authorized under the provisions of the Tax Increment Allocation Redevelopment Act, *65 ILCS 11-74.4-1, et seq.* (the "Act"), to finance redevelopment project costs in connection with redevelopment project areas established in accordance with the conditions and requirements set forth in the Act; and

WHEREAS, pursuant to the Act, to implement tax increment financing (TIF), it is necessary for the City to adopt a redevelopment plan and redevelopment project, designate a redevelopment project area on the basis of finding that the area qualifies pursuant to statutory requirements, and make a finding that the redevelopment project area on the whole has not been subjected to growth and development through private enterprise and would not reasonably be anticipated to be developed without the adoption of a redevelopment plan, which plan contains a commitment to use public funds; and

WHEREAS, the City desires to undertake a feasibility study to determine whether findings may be made with respect to an area of the City (referred to as the "Route 50/Scott Troy Road Redevelopment Project Area), which may be designated as a redevelopment project area, to qualify the area as a blighted area as defined in the Act and applied to vacant land, and other research necessary to document the lack of growth and development through private enterprise; and

WHEREAS, the exact extent and boundaries of the redevelopment project area are not precisely defined at this time but the area being considered is generally delineated on **Exhibit A** attached hereto, and that the actual redevelopment project area to be established may contain more less land than that shown on Exhibit A; and

WHEREAS, the City will be expending certain funds to determine eligibility of the proposed redevelopment project area and to prepare the required redevelopment plan if the City decides to implement tax increment financing for all or a portion of the proposed TIF area; and

WHEREAS, the City may expend other funds in furtherance of the objectives of the anticipated redevelopment plan; and

WHEREAS, it is the intent of the City to recover these expenditures from first proceeds of the TIF program, if established; and

WHEREAS, the City wishes to encourage developers and property owners to pursue plans for the redevelopment of the area and make such expenditures as are reasonably necessary in that regard with confidence that said expenditures may be allowable redevelopment project costs under the plan once adopted and subject to a redevelopment agreement between the City and the developers/property owners; and

WHEREAS, the purpose of the proposed redevelopment plan and project is to generate private investment in the targeted area, thereby eliminating or reducing blighted conditions and provides for the long-term sound growth of the community; and

WHEREAS, tax increment allocation financing utilizes the increase in real estate taxes (“tax increment”) resulting from the increase in value of properties located in a redevelopment project area to pay for certain redevelopment projects costs as provided for in the Act; and

WHEREAS, at this time none of the purposes of the proposed redevelopment plan or proposed redevelopment project area is to result in the displacement of residents from ten (10) or more inhabited residential units within the area, the feasibility study is not required to include the preparation of any housing impact study as described in Section 11-74.4-4.1 (b) of the Act; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of O’Fallon, Illinois as follows:

1. That the City Council has examined the proposed area and circumstances and at this time believe that it is reasonable to believe that a tax increment financing plan can be adopted for said area and expenditures of development costs in furtherance of the plan and potential development should be allowable project costs under the plan, provided that this resolution is not a guarantee that any such plan will be adopted, but rather an expression of the sense of the City at this time.

2. The person to contact for additional information about the proposed redevelopment project area and who should receive all comments and suggestions regarding the redevelopment of the area shall be:

Ted Shekell
Community Development Director
City of O’Fallon
255 South Lincoln Avenue
O’Fallon, IL 62269
Telephone: 618-624-4500 x 4

This Resolution shall become effective immediately upon its adoption by City Council.

Passed by the City Council this 6th day of October 2014.

ATTEST:

Approved by the Mayor this 6th day

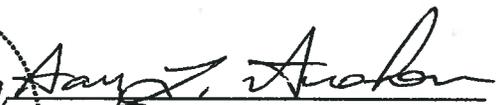
(seal)

of October 2014.



Philip A. Goodwin, City Clerk

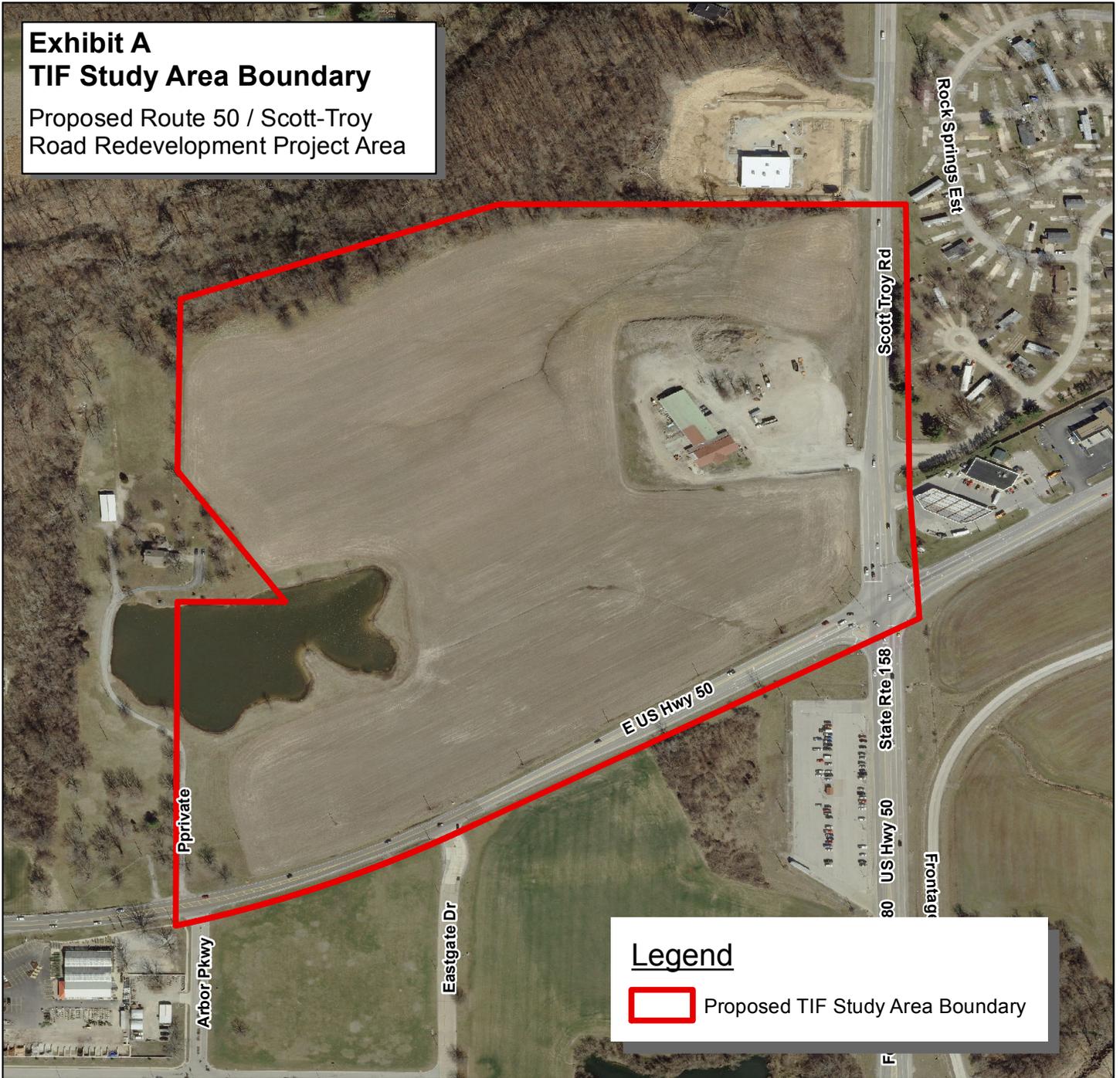




Gary L. Graham, Mayor

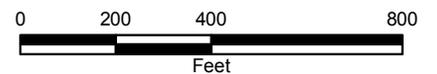
Exhibit A TIF Study Area Boundary

Proposed Route 50 / Scott-Troy
Road Redevelopment Project Area



Legend

 Proposed TIF Study Area Boundary



ATTACHMENT B

**Boundary Description
Route 50/Scott-Troy Road Redevelopment Project Area**

LEGAL DESCRIPTION
TIF PARCEL

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE, NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, 248.61 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE, CONTINUING NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON SAID SOUTHEASTERLY LINE, 418.69 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WESTMORE DEVELOPMENT IN DEED BOOK 3083 ON PAGE 1042 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST, 441.64 FEET; THENCE, SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 599.83 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 120.00 FEET TO THE EAST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, SOUTHERLY FOLLOWING THE EAST R.O.W. LINE OF SCOTT-TROY ROAD UNTIL IT INTERSECTS THE NORTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY FOLLOWING THE NORTH R.O.W. LINE OF U.S. ROUTE 50, 157.00 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50, SOUTH 56 DEGREES 40 MINUTES 06 SECONDS WEST, 941.00 FEET; THENCE, ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50 ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1877.08 FEET, A CHORD BEARING, SOUTH 57 DEGREES 11 MINUTES 53 SECONDS WEST, AND A CHORD DISTANCE OF 34.23 FEET; THENCE, NORTH 32 DEGREES 16 MINUTES 46 SECONDS WEST, 128.00 FEET; THENCE, ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1749.08 FEET, A CHORD BEARING, SOUTH 62 DEGREES 05 MINUTES 35 SECONDS WEST, AND A CHORD DISTANCE OF 266.70 FEET; THENCE, SOUTH 12 DEGREES 09 MINUTES 12 SECONDS EAST, 51.90 FEET; THENCE, SOUTH 77 DEGREES 46 MINUTES 09 SECONDS WEST ON

THE NORTHERLY LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS IN DEED BOOK 2680 ON PAGE 1156 IN SAID RECORDER OF DEED'S OFFICE, 289.17 FEET; THENCE, NORTH 00 DEGREES 38 MINUTES 08 SECONDS EAST, 666.02 FEET; THENCE, SOUTH 85 DEGREES 33 MINUTES 41 SECONDS EAST, 230.00 FEET; THENCE, NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST, 425.00 FEET; THENCE, NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, 476.32 FEET TO THE POINT OF BEGINNING.

JOB\14\1442\1442 LEGAL DESCRIPTION TIF PARCEL

ATTACHMENT C
Existing Conditions Photos

PHOTOGRAPHS OF EXISTING CONDITIONS

Route 50 / Scott-Troy Road Redevelopment Project Area

On October 13th, 2014 PGAV PLANNERS staff conducted a field review of the properties and improvements located inside the Route 50 / Scott-Troy Road Redevelopment Project Area (the "Area"). The following pages contain a series of photographs taken on these dates, which PGAV PLANNERS believes to be representative of the exterior conditions of the Area.

201 Scott-Troy Road

This page contains pictures of the conditions found at 201 Scott-Troy Road.



Above: The siding at 201 Scott-Troy Road has rotted.



Above: The corrugated metal roof at 201 Scott-Troy Road is deteriorated.



Above: The parking lot at 201 Scott-Troy Road is deteriorated. Left: Tractor-trailers and other heavy equipment stored at 201 Scott-Troy Road. This property is directly adjacent to a residential subdivision located across the street to the east.



Above: The soffit and fascia at 201 Scott-Troy Road is rotted.

PHOTOGRAPHS OF EXISTING CONDITIONS

Route 50 / Scott-Troy Road Redevelopment Project Area

Properties adjacent to the Redevelopment Area



Left: A deteriorated mobile home located at Rock Springs Estates.



Right: Trash and debris located at Rock Springs Estates.



Above: Most of Rock Springs Estates is currently vacant.

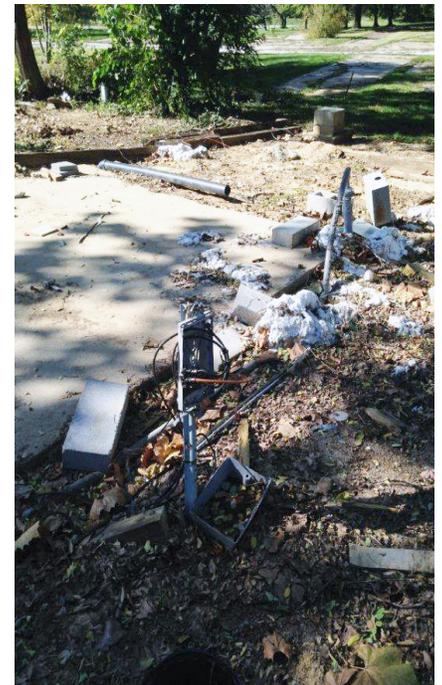


Above: A rotted wood porch on the front of one of the mobile homes at Rock Springs Estates.

Below: Trash and debris piled on a lot next to a full construction dumpster.



Below: Building debris on a vacant lot at Rock Springs Estates.



Above: Wiring and building debris at a vacant mobile home pad.

ATTACHMENT D

**Parcel Identification Numbers,
Property Owner and 2013 EAV**

Property Identification Number (PIN) List & 2013 EAV

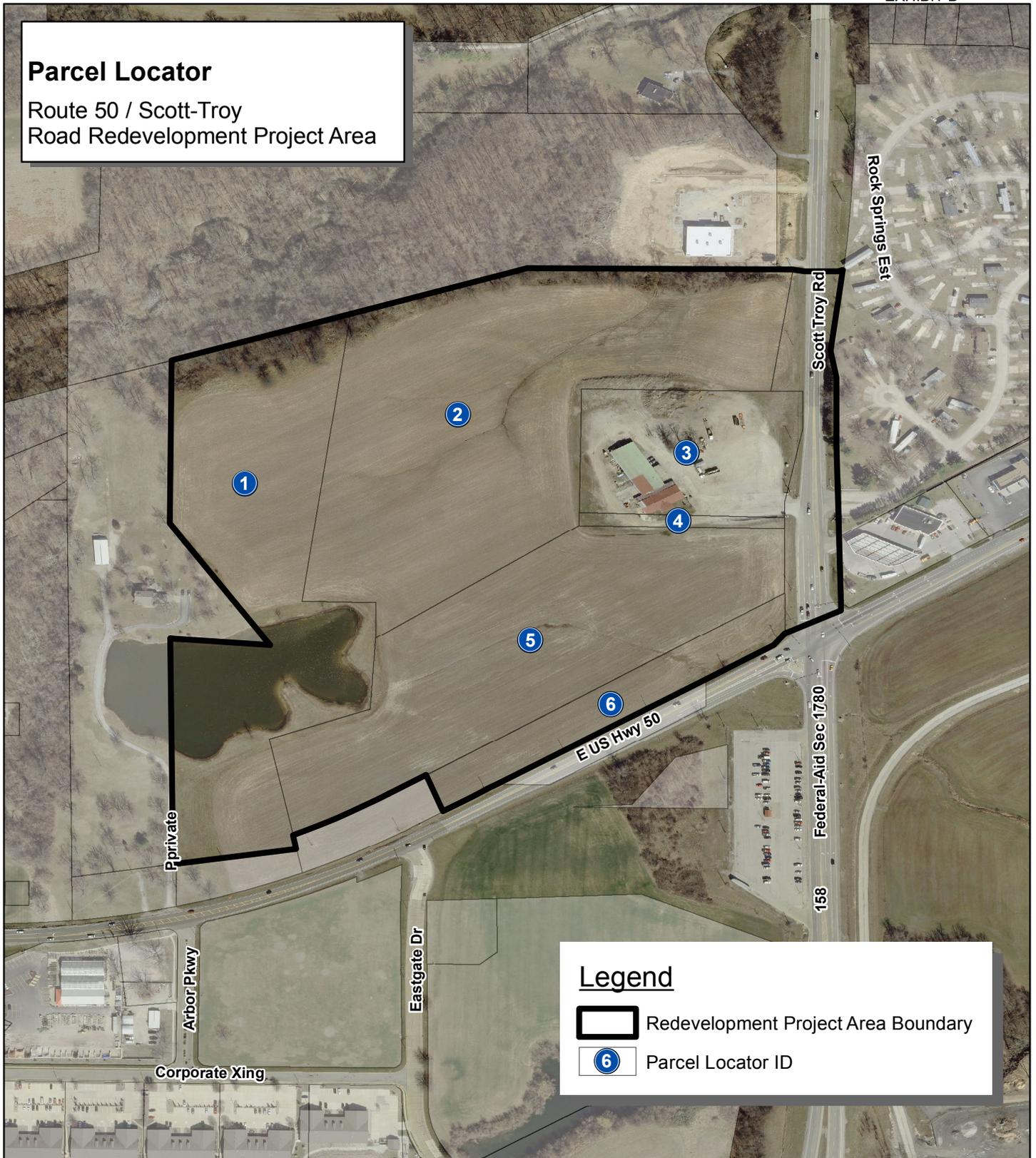
Route 50 / Scott-Troy Road Redevelopment Project Area
City of O'Fallon, Illinois

Locator No.	Parcel ID No. (PIN)	Property Owner	Mailing Address	City, State, Zip	2013 EAV
1	04-33.0-200-033	Robert G Schwarz	1818 Carrington Way	Swansea, IL 62226	\$ 985
2	04-28.0-400-032	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 1,546
3	04-28.0-400-028	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 39,974
4	04-33.0-200-019	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 271
5	04-33.0-200-025	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 2,276
6 *	04-33.0-200-026	Westmore Development Co.	1415 Elbridge Payne Road, Suite 285	Chesterfield, MO 63017	\$ 467
Total:					\$ 45,519

* Parcel split by the Redevelopment Project Area Boundary. Value apportioned based on 69.35% of the parcel being located within the Project Area boundary.

Parcel Locator

Route 50 / Scott-Troy
Road Redevelopment Project Area



ORDINANCE NO. _____

**ORDINANCE DESIGNATING THE
ROUTE 50/SCOTT-TROY ROAD
REDEVELOPMENT PROJECT AREA**

WHEREAS, the City Council has heretofore in Ordinance No. _____ adopted and approved the Tax Increment Redevelopment Plan and Project for the proposed Route 50/Scott-Troy Road Redevelopment Project Area, with respect to which a public hearing was held on **March 16, 2015**, and it is now necessary and desirable to designate the area referred to in said plan as the Route 50/Scott-Troy Road Redevelopment Project Area;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF O’FALLON, ILLINOIS, that

Section 1. The area described in the attached Exhibit A is hereby designated as the Route 50/Scott-Troy Road Redevelopment Project Area pursuant to Section 11-74.4.4 of the Tax Increment Allocation Redevelopment Act:

Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its approval, passage, and publication as required by law.

Passed by the City Council this _____ day of _____ 2015.

ATTEST: Approved by the Mayor this _____ day
(seal) of _____ 2015.

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

ROLL CALL:	McCoskey	Meile	True	Albrecht	Mouser	Hagarty	Drolet, J.	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Roach	Bennett	Cardona	Hursey	Holden	Cozad	Gerrish	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									

Exhibit A: Boundary Description - Route 50/Scott-Troy Road Redevelopment Project Area

Exhibit A

Boundary Description Route 50 / Scott-Troy Road Redevelopment Project Area

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE, NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, 248.61 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE, CONTINUING NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON SAID SOUTHEASTERLY LINE, 418.69 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WESTMORE DEVELOPMENT IN DEED BOOK 3083 ON PAGE 1042 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST, 441.64 FEET; THENCE, SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 599.83 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 120.00 FEET TO THE EAST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, SOUTHERLY FOLLOWING THE EAST R.O.W. LINE OF SCOTT-TROY ROAD UNTIL IT INTERSECTS THE NORTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY FOLLOWING THE NORTH R.O.W. LINE OF U.S. ROUTE 50, 157.00 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50, SOUTH 56 DEGREES 40 MINUTES 06 SECONDS WEST, 941.00 FEET; THENCE, ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50 ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1877.08 FEET, A CHORD BEARING, SOUTH 57 DEGREES 11 MINUTES 53 SECONDS WEST, AND A CHORD DISTANCE OF 34.23 FEET; THENCE, NORTH 32 DEGREES 16 MINUTES 46 SECONDS WEST, 128.00 FEET; THENCE, ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1749.08 FEET, A CHORD BEARING, SOUTH 62 DEGREES 05 MINUTES 35 SECONDS WEST, AND A CHORD DISTANCE OF 266.70 FEET; THENCE, SOUTH 12 DEGREES 09 MINUTES 12 SECONDS EAST, 51.90 FEET; THENCE, SOUTH 77 DEGREES 46 MINUTES 09 SECONDS WEST ON THE NORTHERLY LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS IN DEED BOOK 2680 ON PAGE 1156 IN SAID RECORDER OF DEED'S OFFICE, 289.17 FEET; THENCE, NORTH 00 DEGREES 38 MINUTES 08 SECONDS EAST, 666.02 FEET; THENCE, SOUTH 85 DEGREES 33 MINUTES 41 SECONDS EAST, 230.00 FEET; THENCE, NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST, 425.00 FEET; THENCE, NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, 476.32 FEET TO THE POINT OF BEGINNING.

Parcel ID Numbers (PIN)

04-33.0-200-033
04-28.0-400-032
04-28.0-400-028
04-33.0-200-019
04-33.0-200-025
04-33.0-200-026 (part of)

Totalling approximately 47 acres, including existing public ROW (44 acres net of ROW).

ORDINANCE NO. _____

**ADOPTING TAX INCREMENT
FINANCING
FOR THE ROUTE 50/SCOTT-TROY ROAD
REDEVELOPMENT PROJECT AREA**

WHEREAS, the City of O'Fallon, Illinois desires to adopt tax increment financing pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et. seq., as amended, hereinafter referred to as the "Act".

WHEREAS, the City of O'Fallon has adopted a Tax Increment Redevelopment Plan and Project, designated the Route 50/Scott-Troy Road Redevelopment Project Area pursuant to the provisions of the Act, and has otherwise complied with all other conditions precedent required by the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF O'FALLON, ILLINOIS, that:

Section 1. Tax increment financing is hereby adopted in respect to the Tax Increment Redevelopment Plan and Project for the Route 50/Scott-Troy Road Redevelopment Project Area (Area) approved and adopted pursuant to Ordinance No. [REDACTED] of the City of O'Fallon, which said Area was designated pursuant to Ordinance No. [REDACTED] and the boundaries thereof being legally described therein.

Section 2. After the total equalized assessed valuation of taxable real property in the Route 50/Scott-Troy Road Redevelopment Project Area exceeds the total initial equalized assessed value of all taxable real property in the Route 50/Scott-Troy Road Redevelopment Project Area, the ad valorem taxes, if any, arising from the levies upon taxable real property in the Route 50/Scott-Troy Road Redevelopment Project Area by taxing districts and the rates determined in the manner provided in paragraph (c) of Section 11-74.4-9 of the Act each year after the effective date of this Ordinance until the redevelopment project costs and all municipal obligations issued in respect thereto have been paid shall be divided as follows:

- a. That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the Route 50/Scott-Troy Road Redevelopment Project Area shall be allocated to and when collected shall be paid by the County Collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.
- b. That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each lot, block, tract or parcel of real property in the Route 50/Scott-Troy Road Redevelopment Project Area over and above the initial equalized assessed value of each property in the Route 50/Scott-Troy Road Redevelopment Project Area shall be allocated to and when collected shall be paid to the municipal treasurer who shall deposit said taxes into a special fund called "the Special Tax Allocation Fund for the Route 50/Scott-Troy Road Redevelopment

CITY OF O’FALLON, ILLINOIS

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF
O’FALLON WHICH AUTHORIZES THE
EXECUTION OF THE REDEVELOPMENT
AGREEMENT WITH S.I. STRATEGY, LLC**

WHEREAS, the City of O’Fallon, St. Clair County, Illinois (the “City”) has the authority to adopt tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment (“TIF”) Act, constituting Section 65 ILCS 5/11-74.4-1, et. seq., as amended (the “TIF Act”), to share a portion of the incremental tax revenue generated by the redevelopment project with the developer of such project to induce the developer’s undertaking and performance of such project; and

WHEREAS, the City authorized preparation of a redevelopment plan entitled “City of O’Fallon, Illinois Tax Increment Financing Redevelopment Plan – Route 50 / Scott-Troy Road Redevelopment Area” (“Redevelopment Plan”), with established geographic boundaries (hereinafter the “Redevelopment Project Area”) for the City of O’Fallon, St. Clair County, Illinois; and

WHEREAS, in accordance with the TIF Act, the City (i) convened a joint review board which performed all actions required under the TIF Act, and (ii) held and conducted a public hearing with respect to the Redevelopment Plan and Redevelopment Project Area described in such Redevelopment Plan at a meeting of the Mayor and City Council (the “Council”) held on March 16, 2015, notice of such hearing having been given in accordance with the TIF Act; and

WHEREAS, the Council, after giving all notices required by law, and after conducting all public hearings required by law, adopted the following ordinances:

- (1) Ordinance No. _____, approving the Redevelopment Plan and Project,
- (2) Ordinance No. _____, designating the Redevelopment Project Area, and
- (3) Ordinance No. _____, adopting Tax Increment Financing for the Redevelopment Project Area and establishing a special tax allocation fund therefore (“Special Tax Allocation Fund”); and

WHEREAS, S.I. Strategy, LLC (“Developer”) has submitted a Redevelopment Proposal providing for a redevelopment project to be undertaken by the Developer within a portion of the Redevelopment Project Area (the “Project Area”). The City and Developer reasonably expect that completion of the redevelopment project (as defined in the Redevelopment Agreement to be approved by this Ordinance) will generate additional tax revenues and economic activity in furtherance of the goals of the Redevelopment Plan; and

WHEREAS, the Council desires to enter into an agreement (“Redevelopment Agreement”) with the developer to implement certain portions of the Redevelopment Plan and to enable the developer to carry out the development project; and

WHEREAS, the City is desirous of having the Project Area developed for such uses as identified in the Redevelopment Proposal in order to serve the needs of the community, to create jobs, to further the development of O’Fallon, and to produce increased tax revenues and enhance the tax base of the City and the various taxing districts which are authorized to levy taxes within the Redevelopment Area; and the City, in order to stimulate and induce the development of the Project, has agreed to apply TIF revenues under the TIF Act and the Redevelopment Plan to finance the reimbursable redevelopment project costs (as defined in the Redevelopment Agreement) with the Developer; and

WHEREAS, pursuant to the TIF Act, the City is authorized to enter into a Redevelopment Agreement with the Developer.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of O’Fallon, St. Clair County, Illinois, as follows:

1. That the preceding recitations in the upper part of this Ordinance are realleged, restated and adopted as paragraph one (1) of this Ordinance; and
2. The Council finds and determines that it is necessary and desirable to enter into an agreement with the Developer to implement certain portions of the Redevelopment Plan and to enable the Developer to carry out the Development Project; and
3. The Council hereby approves the Redevelopment Agreement in substantially the form attached hereto as Exhibit “A” (“Redevelopment Agreement”).
4. The Mayor is hereby authorized and directed to execute, on behalf of the City, the Redevelopment Agreement between the City and Developer, and the City Clerk is hereby authorized and directed to attest to the Redevelopment Agreement and to affix the seal of the City thereto. The Redevelopment Agreement shall be in substantially the form attached hereto as Exhibit A, with such changes therein as shall be approved by the officers of the City executing the same, such official signatures thereon being conclusive evidence of their approval and the City’s approval thereof; and
5. The City shall, and the officials, agents and employees of the City are hereby authorized and directed to, take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance; and
6. The sections, paragraphs, sentences, clauses and phrases of this Ordinance shall be severable. In the event that any such section,

DRAFT

REDEVELOPMENT AGREEMENT

between

CITY OF O'FALLON, ILLINOIS

and

S. I. Strategy, LLC

dated as of

March 18, 2015

**CITY OF O'FALLON, ILLINOIS TAX INCREMENT FINANCING REDEVELOPMENT PLAN
ROUTE 50/SCOTT-TROY ROAD REDEVELOPMENT AREA**

REDEVELOPMENT AGREEMENT

This Redevelopment Agreement (this “**Agreement**”) is made and entered into as of the ____ day of _____, 2015 by and between the City of O’Fallon Illinois, an Illinois municipal home rule corporation (the “**City**”), and S. I. Strategy, LLC, an Illinois limited liability company located at P.O. Box 312, Nashville, IL 62263 (“**Developer**”).

RECITALS

The following Recitals are incorporated herein and made a part hereof.

A. The City has the authority, pursuant to the laws of the State of Illinois, to promote the health, safety and welfare of the City and its inhabitants, to prevent the presence of blight, to encourage private development in order to enhance the local tax base, to increase additional tax revenues realized by the City, foster increased economic activity within the City, to increase employment opportunities within the City, and to enter into contractual agreements with third parties for the purpose of achieving the aforesaid purposes, and otherwise take action in the best interests of the City.

B. The City is authorized under the provisions of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.*, as amended (the “**TIF Act**”), to finance redevelopment in accordance with the conditions and requirements set forth in the TIF Act.

C. Pursuant to the TIF Act, a plan for redevelopment known as the “City of O’Fallon, Illinois Tax Increment Financing Redevelopment Plan – Route 50/Scott-Troy Road” (the “**Redevelopment Plan**”) for an area designated therein (the “**Redevelopment Project Area**”), consisting of approximately 47 acres, as legally described in the Redevelopment Plan and on **Exhibit A** hereto, has been prepared and reviewed by the City. Within the Redevelopment Project Area is a parcel of land designated as the “Rec-Plex Parcel,” (defined below and legally described on **Exhibit B** hereto) which is the basis for this Agreement and described more fully within. Developer is the owner of the Rec-Plex Parcel.

D. In accordance with the TIF Act, the City (i) convened a Joint Review Board which performed all actions required under the TIF Act, and (ii) held and conducted a public hearing with respect to the Redevelopment Plan and the Redevelopment Project at a meeting of the City Council (the “**Corporate Authorities**”) of the City held on March 16, 2015, notice of such hearing having been given in accordance with the TIF Act.

E. The Corporate Authorities, after giving all notices required by law and after conducting all public hearings required by law, adopted the following ordinances: (1) Ordinance No. ____, approving the Redevelopment Plan, (2) Ordinance No. ____, designating the Redevelopment Project Area, and (3) Ordinance No. ____, adopting tax increment financing for the Redevelopment Project Area, which contains the Rec-Plex Parcel, and establishing a special tax allocation fund therefor (the “**Special Tax Allocation Fund**”).

F. Developer has presented a Development Project to the City, to be undertaken by Developer and the City, in accordance with the terms and conditions of this Agreement.

G. Developer agrees to complete the Developer Improvements (as defined herein) in connection with the Developer’s Development Project, subject to the conditions herein and the City’s performance of its obligations under this Agreement.

H. The City strongly supports increased economic development to provide additional jobs for residents of the City, to expand retail business and commercial activity within the City and to develop a healthy economy and stronger tax base. The City and Developer reasonably expect that completion of the Developer's Development Project will generate additional tax revenues and economic activity in furtherance of the goals of the Redevelopment Plan.

I. It is necessary for the successful completion of the Developer's Development Project that the City enter into this Agreement with the Developer to provide for the redevelopment of the Redevelopment Project Area, which includes the Rec-Plex Parcel, thereby implementing the Redevelopment Plan.

J. Developer is unable and unwilling to undertake the redevelopment of the Redevelopment Project Area but for certain tax increment financing ("TIF") incentives to be provided by the City in accordance with the TIF Act and the home rule powers of the City, which the City is willing to provide under the terms and conditions contained herein. The parties acknowledge and agree that but for the TIF incentives to be provided by the City, Developer cannot successfully and economically develop the Rec-Plex Parcel and the remaining Redevelopment Project Area in a manner satisfactory to the City. The City has determined that it is desirable and in the City's best interests to assist Developer in the manner set forth herein, and as this Agreement may be supplemented and amended.

K. Developer proposes to construct the Developer Improvements in connection with the Developer's Development Project in Redevelopment Project Area and has demonstrated to the City's satisfaction that Developer has the experience and capacity to complete the Developer Improvements.

L. The City, in order to stimulate and induce development of the Redevelopment Project Area, has determined that it is in the best interests of the City to finance certain Developer Development Project Costs through Incremental Property Taxes, all in accordance with the terms and provisions of the constitution and statutes of the State of Illinois, including the TIF Act and this Agreement.

M. The Corporate Authorities hereby determine that the implementation of the Developer's Development Project and the fulfillment generally of the Redevelopment Plan are in the best interests of the City, and the health, safety, morals and welfare of its residents, and in accord with the public purposes specified in the Redevelopment Plan.

N. Pursuant to the provisions of the TIF Act, the City is authorized to enter into this Agreement to evidence the City's obligation to pay certain Developer Development Project Costs incurred in furtherance of the Redevelopment Plan and the Developer's Development Project, and to pledge the Incremental Property Taxes to the payment of the Reimbursable Developer Development Project Costs to assist in financing of the Developer's Development Project.

O. This Agreement has been submitted to the Corporate Authorities of the City for consideration and review, the Corporate Authorities have taken all actions required to be taken prior to the execution of this Agreement in order to make the same binding upon the City according to the terms

hereof, and any and all actions of the Corporate Authorities of the City precedent to the execution of this Agreement have been undertaken and performed in the manner required by law.

P. Developer is a duly formed and validly existing corporation under the laws of Illinois. The execution, delivery and performance of this Agreement by Developer has been duly and validly authorized by all necessary action on the part of Developer.

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

ARTICLE ONE

INCORPORATION OF RECITALS

The findings, representations and agreements set forth in the above recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though fully set out in this Article One, and constitute findings, representations and agreements of the City and of Developer according to the tenor and import of the statements in such recitals.

ARTICLE TWO

DEFINITIONS

For the purposes of this Agreement, unless the context clearly requires otherwise, words and terms used in this Agreement shall have the meanings provided from place to place herein, including above in the recitals hereto and as follows:

“Agreement” means this Redevelopment Agreement, as the same may be from time to time modified, amended or supplemented in writing by the parties hereto.

“Agreement Term” means the period beginning as of the effective date of the Redevelopment Plan and concluding within 23 years, or, if earlier, after all Reimbursable Developer Development Project Costs (described below) have been paid by the City to Developer.

“Approving Ordinance” means the ordinance(s) of the City to be adopted by the Corporate Authorities, from time to time, authorizing tax increment financing for the Redevelopment Project Area, and all related ordinances, resolutions and proceedings.

“Authorized City Representative” means the Mayor of the City, the City Administrator or designees or assigns.

“Business Day” means a day which is not a Saturday, Sunday or any other day on which banking institutions in New York, New York, or the city or cities in which the administrative offices or payment office of the Trustee is located, are required or authorized to close.

“Certificate of Substantial Completion” means a document substantially in the form of **Exhibit D** attached hereto and incorporated by reference herein, delivered by Developer

to the City, in accordance with this Agreement in connection with and evidencing the substantial completion of the Developer Improvements as identified on **Exhibit F** attached hereto.

“Certificate of Reimbursable Developer Development Project Costs” means a document, substantially in the form of **Exhibit E** attached hereto and incorporated by reference herein, provided by Developer to the City evidencing Reimbursable Developer Development Project Costs incurred by Developer with respect to the Developer Improvements as identified on **Exhibit F** attached hereto, which Developer may submit to pay for Reimbursable Developer Development Project Costs associated with the Developer Improvements.

“City” means the City of O’Fallon, St. Clair County, Illinois, an Illinois home rule municipality.

“City Attorney” means an attorney at law or firm of attorneys acceptable to the City and serving in such capacity at any time on behalf of the City, duly admitted to the practice of law before the highest court of the State of Illinois.

“City Council” means the City Council of the City of O’Fallon, Illinois.

“Concept Plan” means the plans for the Developer’s Development Project, together with all supplements, amendments or corrections submitted by Developer and approved by the City in accordance with this Agreement, as set forth in **Exhibit C** hereto, as amended from time to time in accordance with this Agreement.

“Corporate Authorities” means the Mayor and the City Council.

“Developer” means S. I. Strategy, LLC, an Illinois limited liability company.

“Developer’s Development Project” means the development project for the Redevelopment Project Area described in the Concept Plan attached hereto as **Exhibit C**, and consistent with the Redevelopment Plan.

“Developer’s Development Project Costs” means the sum total of all reasonable or necessary costs actually incurred in performing the Developer’s Development Project and any such costs incidental to the Developer’s Development Project which are authorized for reimbursement under the TIF Act and the Redevelopment Plan. **Exhibit G** provides an itemized list of such costs, which are available for reimbursement under the TIF Act and are included in the Reimbursable Redevelopment Project Costs under the Redevelopment Plan.

“Developer Improvements” and “Work” mean all work necessary to prepare the Redevelopment Project Area and to construct the improvements for the Developer’s Development Project as more fully described on **Exhibit F** hereto, the completion of which shall be evidenced as set forth in the Certificate of Substantial Completion, and all other work reasonably necessary to effectuate the intent of this Agreement.

“Governmental Approvals” means all plat approvals, re-zonings, text amendments or other zoning changes, site or development plan approvals, planned unit development approvals, conditional use permits, re-subdivisions or other subdivision approvals, variances, sign approvals, building permits, grading permits, occupancy permits or similar approvals, utility regulatory approvals, and other approvals pertaining to the roadway widenings and reconfigurations and intersection and other street improvements from the City, St. Clair County, the State of Illinois, the appropriate sewer and other utility authorities, the U.S. Army Corps of Engineers, the Illinois Department of Natural Resources, and other or similar approvals required for the implementation of the Developer’s Development Project.

“Incremental Property Taxes” means that portion of the ad valorem taxes, if any, arising from the taxes levied upon the Redevelopment Project Area by any and all taxing districts or municipal corporations having the power to tax real property in the Redevelopment Project Area, which taxes are attributable to the increases in the then current equalized assessed valuation of the Redevelopment Project Area over and above the Total Initial Equalized Assessed Valuation of each such pieces of property, all as determined by the County Clerk of the County of St. Clair, Illinois, pursuant to and in accordance with the TIF Act, and includes any replacement, substitute or amended taxes.

“Intergovernmental Agreement” means collectively any agreements and/or settlements entered into by and between the City and any taxing districts, including but not limited to the O’Fallon Community District No. 90 and O’Fallon High School District No. 203, pursuant to which the City may agree to pledge any portion of the Incremental Property Taxes generated each year within the Redevelopment Project Area to such taxing districts.

“Person” means any individual, corporation, partnership, limited liability company, joint venture, association, trust, or government or any agency or political subdivision thereof.

“Rec-Plex Parcel” means a parcel of real property located within the Redevelopment Project Area (defined below) that is approximately ____ acres, more or less, located on _____ of the plat of _____, in the City of O’Fallon, County of St. Clair and State of Illinois, and is depicted and more fully described in **Exhibit B**, upon which the first phase of the Developer Improvements will be constructed by Developer.

“Redevelopment Plan” means a plan entitled “City of O’Fallon, Illinois Tax Increment Financing Redevelopment Plan – Route 50/Scott-Troy Road” dated January 8, 2015, approved by the Corporate Authorities on _____, 2015 pursuant to Ordinance No. _____, as such plan may be amended from time to time.

“Redevelopment Project Area” means a certain area of the City known as the City of O’Fallon, St. Clair County, Illinois Tax Increment Finance District, and includes the Rec-Plex Parcel upon which the first phase of Developer’s Development Project will be implemented and constructed. The Area consists of approximately 47 acres and is more particularly described in **Exhibit A** attached hereto and incorporated by reference herein.

“Reimbursable Developer Development Project Costs” means those Developer Development Project Costs that are eligible for reimbursement to Developer from Incremental Property Taxes under the Redevelopment Plan and the TIF Act in accordance with this Agreement. Such costs shall include, but not

be limited to, all site development and land improvements (exclusive of land acquisition and retail building costs) necessary to implement the Developer's Development Project, including but not limited to grading and site preparation, demolition, construction and/or relocation of streets, roads, sidewalks, sanitary sewers, water mains, drainage and storm water control and detention facilities, legal, engineering and similar design costs provided in conjunction with constructing the eligible improvements.

"Related Party" means any party or entity related to Developer by one of the relationships described in Section 267(b) of the Internal Revenue Code of 1986, as amended.

"Special Tax Allocation Fund" means the Special Tax Allocation Fund created pursuant to the TIF Act and Ordinance No. ____ adopted by the City Council on ____, 20__, and includes a Developer Subaccount and any other subaccounts into which the Incremental Property Taxes are from time to time deposited in accordance with the TIF Act, any Approving Ordinance, and this Agreement.

"State" means the State of Illinois.

"Substantial Completion" or **"Substantially Complete"** or **"Substantially Completed"** means the date on which the Developer delivers the Certificate of Substantial Completion with respect to a phase of the Developer Improvements component of the Developer's Development Project to the City.

"TIF Act" means the Tax Increment Allocation Redevelopment Act found at 65 ILCS 5-11-74.4-1, *et seq.*, as amended.

"TIF Administration Set-Aside" means a portion of tax increment revenue which shall be set-aside each year for the City to administer the tax increment financing program for the Route 50/Scott-Troy Road Redevelopment Project Area, including compliance with the terms of this Agreement, annual reporting to the State of Illinois and Joint Review Board (JRB), annual meetings of the JRB and similar matters. The amount of the set-aside shall be 5% of tax increment revenue not to exceed \$15,000.00 annually. Nothing herein shall be construed to prevent any additional City administration costs from being reimbursed as part of Redevelopment Project Costs.

"TIF Ordinance" means Ordinance No. ____ adopted by the City Council on ____, 20__, adopting tax increment financing for the Redevelopment Project Area, including the Rec-Plex Parcel.

"Total Initial Equalized Assessed Valuation" means the total initial equalized assessed value of the taxable real property within the Redevelopment Project Area as determined by the County Clerk of the County of St. Clair, Illinois, for the calendar year 2014, in accordance with the provisions of Section 11-74.4-9 of the TIF Act.

ARTICLE THREE

CONSTRUCTION

This Agreement, except where the context by clear implication shall otherwise require, shall be construed and applied as follows:

- (a) Definitions include both singular and plural.
- (b) Pronouns include both singular and plural and cover all genders.

- (c) The word “include”, “includes” and “including” shall be deemed to be followed by the phrase “without limitation”.
- (d) Headings of Articles and Sections herein are solely for convenience of reference and do not constitute a part hereof and shall not affect the meaning, construction or effect hereof.
- (e) All exhibits attached to this Agreement shall be and are operative provisions of this Agreement and shall be and are incorporated by reference in the context of use where mentioned and referenced in this Agreement. In the event of a conflict between any exhibit and the terms of this Agreement, the Agreement shall control.
- (f) Any certificate, letter or opinion required to be given pursuant to this Agreement means a signed document attesting to or acknowledging the circumstances, representations, opinions of law or other matters therein stated or set forth. Reference herein to supplemental agreements, certificates, demands, requests, approvals, consents, notices and the like means that such shall be in writing whether or not a writing is specifically mentioned in the context of use.
- (g) The Mayor, unless applicable law requires action by the Corporate Authorities, shall have the power and authority to make or grant or do those things, certificates, requests, demands, notices and other actions required that are ministerial in nature or described in this Agreement for and on behalf of the City and with the effect of binding the City as limited by and provided for in this Agreement. Developer is entitled to rely on the full power and authority of the Persons executing this Agreement on behalf of the City as having been properly and legally given by the City.
- (h) In connection with the foregoing and other actions to be taken under this Agreement, and unless applicable documents require action by Developer in a different manner, Developer hereby designates its Dean Oelze, as its authorized representative who shall individually have the power and authority to make or grant or do all things, supplemental agreements, certificates, requests, demands, approvals, consents, notices and other actions required or described in this Agreement for and on behalf of Developer and with the effect of binding Developer in that connection (such individual being an **“Authorized Developer Representative”**). Developer shall have the right to change its Authorized Developer Representative by providing the City with written notice of such change which notice shall be sent in accordance with **Section 8.6** of this Agreement.

ARTICLE FOUR

DEVELOPER DESIGNATION AND REDEVELOPMENT PLAN

Section 4.1. Developer Designation. The City hereby selects Developer to perform or cause to be performed the Work related to the Developer Improvements and to construct or cause to be constructed the Developer Improvements as provided in this Agreement.

Section 4.2. Redevelopment Plan. The City and Developer agree to cooperate in implementing the Developer’s Development Project in accordance with the Redevelopment Plan and the parties’ respective obligations set forth in this Agreement.

ARTICLE FIVE

CONSTRUCTION OF DEVELOPER'S DEVELOPMENT PROJECT

Section 5.1. Performance of the Work.

(a) Construction Schedule – Phase I

(i) Commencement – The Developer shall start construction of the Developer Improvements within one (1) year of the execution of this Agreement.

(ii) Completion – The Developer shall complete the Developer Improvements as more fully described in Exhibit F within three (3) years of the commencement of same. The Developer may petition the City for an extension of this completion date for good cause shown.

(b) Construction Schedule - Phase II through Phase VII

The Commencement and Completion Dates for all Phases of the Developer Project beyond Phase I shall be negotiated in good faith between the City and Developer after the commencement and prior to the completion of Phase I.

(c) Developer Performance Contingent on City Approvals. The performance of Developer as set forth in this section is premised on Developer receiving timely approval by the City Council of all planning approvals required to accommodate the Concept Plan, including uses requested by Developer for the Developer Development Project and the timely review and issuance by the City of all Governmental Approvals within its control. Performance hereunder is also premised on the receipt by Developer, with a copy to the City, of an opinion of the City Attorney as to the validity and enforceability under Illinois law of this Agreement.

Section 5.2. Governmental Approvals; Extension of Time.

(a) Parties to Cooperate. The City agrees to cooperate with Developer and to expeditiously process and timely consider all applications for Governmental Approvals as received, all in accordance with the applicable City ordinances and laws of the State, and this Agreement. The parties specifically agree to use their best efforts to cooperate with each other to obtain all necessary permits and approvals by the Illinois Department of Transportation and other public entities necessary to carry out the Developer's Development Project. The City agrees to cooperate with Developer in the Developer's attempts to obtain all necessary approvals from any governmental or quasi-governmental entity other than the City, and upon request of Developer, will promptly execute any applications or other documents (upon their approval by the City) which Developer intends to file with such other governmental or quasi-governmental entities in connection with the Developer's Development Project. The City shall further promptly respond to, or process, and consider reasonable requests of Developer for: applicable demolition permits, building permits; driveway permits; curb cut permits, or other permits necessary for the construction of the Developer's Development Project.

Extension of Time. Notwithstanding any provision of this Agreement to the contrary, Developer may, upon reasonable cause shown, request the Mayor or his designee to extend or waive times for performance. The Mayor or his designee may, but is not required to, consent to such extensions or waivers for a period not exceeding one year without further action by the Corporate Authorities. In the event that the Mayor or his designee extends or waives time for Developer's performance under **Section 5.1(a)** of this Agreement, the City's time for performance under **Section 5.1(b)** shall be extended to conform to Developer's extended time for performance.

Section 5.3. Concept Plan.

(a) **Approval of Concept Plan.** The Concept Plan, attached hereto as **Exhibit C** has been approved by the Corporate Authorities.

(b) **Changes.** Developer may make changes to the Concept Plan or any aspect thereof as site conditions or other issues of feasibility may dictate, as may be necessary or desirable to address the acquisition of additional real property to be included in the Rec-Plex Parcel or alterations in the description of the real property to be included in the Redevelopment Project Area or Rec-Plex Parcel, or as may be necessary or desirable in the determination of the Developer to enhance the economic viability of the Developer's Development Project, in a manner consistent with applicable City ordinance. The Concept Plan shall also be deemed to be modified from time to time to reflect changes to the locations and configurations of the improvements which comprise the Developer's Development Project to the extent such changes are initiated by Developer or are accepted by Developer in connection with the processing and approval of a concept plan, a site/improvement plan or other Governmental Approvals for Developer's Development Project.

(c) **Changes in Land Use.** Except as provided herein, all changes in land use or related activity in the Redevelopment Project Area shall be subject to the applicable ordinances and laws authorizing or regulating such change or activity, including the Planned Use zoning and Subdivision approvals governing the Redevelopment Project Area.

Section 5.4. Construction of Developer Improvements.

(a) **Contracts-Developer to Control Construction.** Developer may enter into one or more construction contracts to complete the Developer Improvements. Developer shall have discretion and control, free from interference, interruption or disturbance, in all matters relating to the management, development, redevelopment, and construction of the Developer Improvements, provided that the same shall, in any event, conform to and comply with the terms and conditions of the Redevelopment Plan and this Agreement, and all applicable state and local laws, ordinances and regulations (including, without limitation, applicable zoning, subdivision, building and fire codes), subject to any variances and other Governmental Approvals.

(b) **Modification of Construction.** Subject to the provisions set forth in **Section 5.1(a)** regarding Developer Improvements, during the progress of the Developer's Development Project, Developer may make such reasonable changes, including, without limitation, modification of the construction schedule, modification of the areas in which the Developer's Development Project is to be performed or on which buildings or other improvements are to be situated, expansion or deletion of items, revisions to the locations and configurations of improvements, revisions to the areas and scope of the Developer's Development Project, and any and all such other changes as site conditions or orderly development may dictate or as may be required to meet any reasonable requests of prospective tenants or purchasers of any portion of the Redevelopment Project Area or as may be necessary or desirable, in the discretion of Developer, to enhance the economic viability of the Developer's Development Project and as may be in furtherance of the general objectives of the Redevelopment Plan; provided, however, that the Developer's Development Project as modified shall generally conform to the development concept shown on the Concept Plan, with the Redevelopment Plan and Agreement, and shall comply with applicable law and code, subject to any variances and other Governmental Approvals.

(c) **Modifications After Substantial Completion.** After Substantial Completion of the Developer Improvements, the remaining portion of the Redevelopment Project Area may be regraded, reconfigured, redeveloped or otherwise modified as approved by the City and in a manner conforming to all applicable law and code and consistent with the Redevelopment Plan and this Agreement. New improvements may be added to the remaining portion of the Redevelopment Project Area in connection therewith, from time to time and in such manner as Developer (or its successor(s) in interest, as owner or owners of the affected portion(s) of the Redevelopment Project Area) may determine, provided that any such modifications shall comply with applicable law and code, subject to any variances and other Governmental Approvals, and consistent with the Redevelopment Plan and this Agreement.

Section 5.5. Certificate of Substantial Completion.

(a) **Developer Improvements.** To establish the completion date of the Developer Improvements, Developer shall furnish to the City a Certificate of Substantial Completion upon completion of the Developer Improvements as described in **Exhibit F** attached hereto.

(b) **City Review.** The City shall, within thirty (30) days following delivery of the Certificate of Substantial Completion with respect to the Developer Improvements, carry out such inspections as it deems necessary to verify to its reasonable satisfaction the accuracy of the certifications contained in the Certificate of Substantial Completion. The certificates shall be deemed verified and the Certificate of Substantial Completion shall be deemed accepted by the City unless, prior to the end of such thirty (30)-day period after delivery to the City of the Certificate of Substantial Completion, the City furnishes Developer with specific written objections to the status of performance based on failure of the construction to be in accordance with Governmental Approvals issued by the City, describing such objections and the measures required to correct such objections in reasonable detail. Developer shall use reasonable efforts to cure such objections. The City shall have no basis to object to the Certificate of Substantial Completion with respect to any aspect of the construction that was previously inspected and approved.

(c) **Recording Certificates of Substantial Completion.** Upon acceptance of the Certificate of Substantial Completion of the Developer Improvements by the City, or upon the lapse of thirty (30) days after delivery thereof to the City without any written objections by the City or request by the City for additional time for review, not to exceed an additional ten (10) days, Developer may record the Certificate of Substantial Completion with respect to each phase of the Developer Improvements with the St. Clair County Recorder, and the same shall constitute evidence of the satisfaction of the Developer agreements and covenants to perform the Work with respect to such phase (as applicable) of the Developer Improvements pursuant to this Agreement.

ARTICLE SIX

REIMBURSEMENT OF DEVELOPMENT COSTS

Section 6.1. Pledge of Incremental Property Taxes. In consideration of the Developer undertaking the Developer's Development Project and construction of the Developer Improvements, including the incurring of Reimbursable Redevelopment Project Costs under the Redevelopment Plan, the City hereby pledges and agrees to apply the Incremental Property Taxes generated from Redevelopment Project Area and deposited into the Special Tax Allocation Fund in accordance with this Agreement to pay Reimbursable Developer Development Project Costs incurred by Developer. Except for (a) the City's setup and annual administrative costs, and (b) a total of up to fifty percent (50%) of Incremental Property Taxes from the Rec-Plex parcel and up to 25% of Incremental Property Taxes from the remaining Redevelopment Project Area which will be designated as "surplus funds" and/or distributed to the affected

taxing bodies pursuant to the Intergovernmental Agreement, the City agrees that during the Agreement Term, the City shall not further encumber or pledge any portion of the Incremental Property Taxes generated from the Redevelopment Project Area to any other project or obligation or take any action inconsistent with the terms and intent of this Agreement.

Section 6.2. Reimbursable Developer's Development Project Costs. Upon completion of the Developer's Development Project, Developer may deliver to the City a Certificate of Reimbursable Developer's Development Project Costs in substantially the same form as **Exhibit E** attached hereto for all Reimbursable Developer's Development Project Costs incurred. Developer shall, at the City's request, provide itemized invoices, receipts or other information, if any, requested by the City to confirm that any such costs are so incurred and do so qualify. Developer shall also certify that such costs are eligible for reimbursement under the TIF Act. The City shall promptly approve or disapprove such Certificate, but in any event no later than thirty (30) days of the submittal thereof. If the City disapproves of the Certificate, it shall state in writing the reasons therefor, identifying the ineligible costs and the basis for determining the costs to be ineligible, whereupon Developer shall have the right to identify and substitute other Developer Development Project Costs as Reimbursable Developer Development Project Costs with a supplemental application for payment. If the City fails to approve or disapprove the Certificate within thirty (30) days of the submittal thereof, the Certificate shall be deemed approved.

Upon approving the Certificate, or the Certificate being deemed approved, the City shall issue Developer a non-recourse note ("Developer TIF Note, if applicable") which identifies the total amount City will pay Developer for Reimbursable Developer's Development Project Costs. As funds become available in the Special Tax Allocation Fund, the City will remit payment to Developer within thirty (30) days from the time those funds first become available for distribution.

Section 6.3. Reimbursement from Incremental Property Taxes Limited to Reimbursable Developer's Development Project Costs. The parties agree that each of the categories of costs set forth in the Redevelopment Plan constitute Reimbursable Developer's Development Project Costs which are eligible for reimbursement in accordance with the TIF Act and this Agreement. Subject to the provisions of the TIF Act, Developer shall be entitled to reimbursement for Developer's Development Project Costs from any of the categories set forth therein and as agreed to within this Redevelopment Agreement.

Section 6.4. Annual Accounting and Adjustments. After the close of each calendar year during the Agreement Term (in any event not later than February 15th of the February immediately following the close of the calendar year), the City shall cause its Treasurer or other financial officer charged with responsibility for the Special Tax Allocation Fund to provide to Developer an accounting of the receipts and expenditures from the Special Tax Allocation Fund at the close of the calendar year.

ARTICLE SEVEN

SPECIAL TAX ALLOCATION FUND; COLLECTION AND USE OF INCREMENTAL PROPERTY TAXES

Section 7.1. Certificate of Total Initial Equalized Assessed Value. The City will provide to Developer, simultaneous with the execution of this Agreement, a true, correct and complete copy of the calculation by the County Clerk of The County of St. Clair, Illinois, of the Total Initial Equalized Assessed Value of all taxable property within the Redevelopment Project Area, determined pursuant to the TIF Act, which calculation shall include a separate calculation of the Total Initial Equalized Assessed Value of the Rec-Plex Parcel and the remaining TIF Area upon which the Developer Improvements are to be constructed.

Section 7.2 Special Tax Allocation Fund.

(a) Establishment of the Special Tax Allocation Fund and Other Funds and Accounts. The City hereby agrees to cause its Treasurer to establish and maintain funds in a City of O'Fallon, Illinois Special Tax Allocation Fund ("Special Tax Allocation Fund") as well as a Developer Subaccount and any other accounts or subaccounts as required by the TIF Ordinance and this Agreement.

The Special Tax Allocation Fund shall be maintained by the City as a separate and distinct trust and the moneys therein shall be held, managed, invested, disbursed, and administered by the City. Except for the amounts of Incremental Property Taxes to be distributed pursuant to any Intergovernmental Agreement and/or applied by the City in accordance with the Redevelopment Plan, all moneys deposited in the Special Tax Allocation Fund shall be used solely for the purposes set forth in the applicable Approving Ordinance and as provided herein. The City's Treasurer shall keep and maintain adequate records pertaining to the Special Allocation Fund and any accounts required by the TIF Ordinance and all disbursements therefrom.

(b) Deposits into the Special Tax Allocation Fund. All TIF Revenues generated from the TIF Area and any taxes, fees, or assessments subsequently enacted and imposed in substitution therefor and allocable to such accounts to the extent authorized by law shall be deposited into the Special Tax Allocation Fund as soon as they become available; provided, however, that Developer's Reimbursable Development Project Costs are limited to fifty percent (50%) of the TIF Revenues generated from the Rec-Plex Parcel and seventy-five percent (75%) of the TIF Revenues generated from the remaining Redevelopment Project Area net of setup and annual administrative costs. The City agrees to apply any and all interest earnings from moneys on deposit in the Special Tax Allocation Fund to be applied as provided in **Section 7.3** of this Agreement.

Except for the amounts of the Incremental Property Taxes to be distributed pursuant to the Intergovernmental Agreement and/or applied by the City in accordance with the Redevelopment Plan, the City agrees that during the Agreement Term, the City shall not further encumber or pledge, on a superior or parity lien basis, any portion of the Incremental Property Taxes to be deposited in or on deposit in and to the credit of the Special Tax Allocation Fund or take any action inconsistent with the terms and intent of this Agreement.

Section 7.3. Application of Incremental Property Taxes. The City hereby agrees to apply fifty percent (50%) of all Incremental Property Taxes generated from the Rec-Plex Parcel and 75% of all Incremental Property Taxes generated from the remaining TIF Area as provided in this Agreement as follows:

(a) first, transfer to City an amount sufficient to reimburse the City for its set up and annual administrative costs ("TIF Administration Set-Aside"; and

(b) second, transfer to Developer an amount sufficient to pay the outstanding amount due to Developer for all Reimbursable Developer's Development Project Costs and Developer Improvements, up to but not to exceed Developer's Development Project Costs identified in Exhibit G; and

(c) third, transfer any remaining amount to the City of application in accordance with this Agreement.

Section 7.4. Cooperation in Determining Incremental Property Taxes. The City and Developer (or its successors in interest) agree to cooperate and take all reasonable actions necessary to

cause the Incremental Property Taxes to be paid into the fund and accounts pursuant to this Agreement, including the City's enforcement and collection of all such payments through all reasonable and ordinary legal means of enforcement.

ARTICLE EIGHT

GENERAL PROVISIONS

Section 8.1. Successors and Assigns.

(a) **Agreement Binding on Successors.** This Agreement shall be binding on and shall inure to the benefit of the parties named herein and their respective heirs, administrators, executors, personal representatives, successors and assigns.

(b) **Assignment.** Until Substantial Completion of the Developer Improvements, the rights, duties and obligations of Developer under this Agreement may not be assigned in whole or in part without the prior written approval of the City, which approval shall not be unreasonably withheld or delayed and shall be given upon a reasonable demonstration by Developer of the proposed assignee's experience and financial capability to undertake and complete such portions of the Work or any component thereof proposed to be assigned, all in accordance with this Agreement. All or any part of the Redevelopment Project Area or any interest therein may be sold, transferred, encumbered, leased, or otherwise disposed of at any time following Substantial Completion of the Developer Improvements, and the rights of Developer named herein or any successors in interest under this Agreement or any part hereof may be assigned. Upon Developer's transfer or conveyance of any part of or interest in the Redevelopment Project Area or assignment of any interest under this Agreement, as authorized by and pursuant to the provisions of this subparagraph, Developer shall be released from further obligation under this Agreement with respect to such Redevelopment Project Area interest conveyed or rights assigned, and such Redevelopment Project Area interest conveyed shall be released from further obligation under this Agreement.

(c) **City Consent to Assignment.** Notwithstanding any provision herein to the contrary, the City hereby approves, and no prior consent shall be required in connection with, (a) the right of Developer to encumber or collaterally assign its interest in the Redevelopment Project Area or any portion thereof to secure loans, advances or extensions of credit to finance or from time to time refinance all or any part of Developer's Development Project Costs, or the right of the holder of any such encumbrance or transferee of any such collateral assignment (or trustee or agent on its behalf) to transfer such interest by foreclosure or transfer in lieu of foreclosure under such encumbrance or collateral assignment; and (b) the right of Developer to assign Developer's rights, duties and obligations under this Agreement to a Related Party or among entities comprising Developer. Notwithstanding any provision hereof to the contrary, the City hereby approves, and no prior consent shall be required in connection with Developer's sale or lease of individual portions of the Redevelopment Project Area or subdivided lots in the course of the development of Developer's Development Project and any Redevelopment Project Area interest conveyed shall be released from further obligation under this Agreement.

Section 8.2. Remedies. Except as otherwise provided in this Agreement and subject to Developer's and the City's respective rights of termination hereof as set forth in **Sections 10.2 and 10.3**, in the event of any default in or breach of any term or condition of this Agreement by either party, or any successor, the defaulting or breaching party (or successor) shall, upon written notice from the other party (or successor), proceed immediately to cure or remedy such default or breach, and, shall, in any event, within sixty (60) days after receipt of notice, commence to cure or remedy such default. If such cure or remedy is not taken or not diligently pursued, or the default or breach is not cured or remedied within a reasonable time, the aggrieved party may institute such proceedings as may be necessary or desirable in

its opinion to cure and remedy such default or breach, provided that such legal proceedings shall only affect property as to which such default or breach exists and shall not affect any other rights established in connection with this Agreement or any other property in the Redevelopment Project Area which has been or is being developed or used in accordance with the provisions of this Agreement.

Section 8.3. Force Majeure and Other Extensions of Time for Performance.

(a) **Force Majeure.** Neither the City nor Developer nor any successor in interest shall be considered in breach or default of their respective obligations under this Agreement, and times for performance of obligations hereunder shall be extended, in the event of any delay in Developer's construction of any phase of the Developer's Development Project caused by force majeure, including, without limitation, for purposes of this Agreement, legal proceedings which restrict or impair the orderly development of any phase of Developer's Development Project (including, but not limited to, condemnation or eminent domain proceedings), orders of any kind of any court or governmental body which restrict or impair the orderly development of any phase of Developer's Development Project, strikes, lockouts, labor disputes, labor shortages, riots, acts of God, epidemics, landslides, lightning, earthquake, fire or other casualties, breakage, explosions, storms, washouts, droughts, tornadoes, cyclones, floods, adverse weather conditions, unusually wet soil conditions, mine subsidence, war, invasion or acts of a public enemy, serious accidents, arrests, failure of utilities, governmental restrictions or priorities, failure to timely process or issue any permits and/or legal authorization by necessary governmental entity, including Governmental Approvals, failure of utilities to timely extend service to the site, shortage or delay in shipment of material or fuel, any actual or threatened litigation relating to the validity of this Agreement, the designation of the Redevelopment Project Area, the Redevelopment Plan, Developer's Development Project, the adoption of tax increment financing under the TIF Act within the Redevelopment Project Area, the City's use and pledge of the Incremental Property Taxes pursuant to this Agreement, or any of the ordinances approving the same, or other causes beyond the responsible party's reasonable control.

The party claiming any extension caused by force majeure shall have the burden of proof in establishing such cause.

(b) **Extension of Time for Performance.** In addition to the foregoing, periods provided herein for commencement or Substantial Completion of any phase of the Developer Improvements shall be automatically extended for periods of delay in obtaining required planning approvals with respect to the Redevelopment Project Area or Governmental Approvals, and may also be extended, for reasonable cause, from time to time, upon application of the Developer to the City Council and upon finding by the City Council that the requested delay is reasonably justified, does not materially affect the ultimate completion of any phase of the Developer Improvements.

Section 8.4. Actions Contesting the Validity and Enforceability of the Development Plan, the Agreement and Related Matters. If a third party brings an action against the City or the City's officials, agents, employees or representatives contesting the validity or legality of the Redevelopment Project Area, any portion thereof, this Agreement, the designation of the Redevelopment Project Area, the Redevelopment Plan, Developer's Development Project, the adoption of tax increment financing under the TIF Act within the Redevelopment Project Area, the City's use and pledge of the Incremental Property Taxes pursuant to this Agreement, or any of the ordinances approving the same, the City shall promptly, and in any event prior to filing any responsive pleadings, notify Developer in writing of such claim or action. Developer may, at its option, assume the defense of such claim or action (including, without limitation, to settle or compromise any claim or action for which Developer has assumed the defense and as to which Developer will pay the costs and amounts of any such settlement or compromise) with counsel of Developer's choosing, and the parties expressly agree that so long as no conflicts of interest exist between them, the same attorney or attorneys may simultaneously represent the City and Developer in any such proceeding. Subject to the provisions of the TIF Act and this Agreement, all costs incurred by

Developer and the City, as authorized by the Redevelopment Plan and this Redevelopment Agreement, shall be deemed to be Reimbursable Developer's Development Project Costs and reimbursable from moneys in the Special Tax Allocation Fund, subject to **Article VI and Article VII** hereof. In the event Developer does not elect to assume the defense of such claim or action, the City shall undertake such defense, shall copy Developer and its counsel on all correspondence relating to any such action, shall consult with Developer and its counsel throughout the course of any such action, and shall not settle or compromise any claim or action without Developer's prior written consent.

Section 8.5. Insurance. Prior to the commencement of construction of any buildings that are part of the Developer Improvements, Developer shall obtain workers' compensation and comprehensive general liability insurance coverage in amounts customary in the industry for similar type projects; provided, the City shall not be named as an "additional insured" with respect to any insurance policies and shall not have any rights or claims under any such insurance policies.

Section 8.6. Notice. Any notice, demand, or other communication required by this Agreement to be given by either party hereto to the other shall be in writing and shall be sufficiently given or delivered if dispatched by certified United States first class mail, postage prepaid, or delivered personally, or if deposited with a nationally recognized overnight courier service prepaid and specifying the overnight delivery and addressed to the party at its address as provided herein:

If to City: City Clerk
City of O'Fallon
255 South Lincoln
O'Fallon, Illinois 62269

And: Terry I. Bruckert
Special TIF Counsel
Bruckert, Gruenke & Long, P.C.
1002 East Wesley Drive
Suite 100
O'Fallon, IL 62269

If to Dean Oelze
S. I. Strategy, LLC
P.O. Box 312
Nashville, IL 62263

And: Kevin Vick
Greensfelder, Hemker & Gale, P.C.
12 Wolf Creek Drive, Suite 100
Belleville, IL 62226

or to such other address with respect to either party as that party may, from time to time, designate in writing and forward to the other as provided in this paragraph.

Section 8.7. Conflict of Interest. No member of the Corporate Authorities, the Joint Review Board, or any branch of the City's government who has any power of review or approval of any of Developer's undertakings, or of the City's contracting for goods or services for the Redevelopment Project Area, shall participate in any decisions relating thereto which affect that member's personal interests or the interests of any corporation or partnership in which that member is directly or indirectly interested. As provided in the TIF Act, any person having such interest shall immediately, upon

knowledge of such possible conflict, disclose, in writing, to the City Council the nature of such interest and seek a determination by the City Council with respect to such interest and, in the meantime, shall not participate in any actions or discussions relating to the activities herein proscribed.

Section 8.8. Choice of Law. This Agreement shall be taken and deemed to have been fully executed, made by the parties in, and governed by the laws of the State of Illinois for all purposes and intents.

Section 8.9. Entire Agreement; Amendment. The parties agree that this Agreement constitutes the entire agreement between the parties and that no other agreements or representations other than those contained in this Agreement have been made by the parties. This Agreement shall be amended only in writing and effective when signed by the authorized representatives of both parties.

Section 8.10. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall constitute one and the same instrument.

Section 8.11. Severability. If any term or provision of this Agreement is held to be unenforceable by a court of competent jurisdiction, the remainder shall continue in full force and effect, to the extent the remainder can be given effect without the invalid provision.

Section 8.12. Representatives Not Personally Liable. No official, agent, employee, City Attorney, or representative of the City (the “City Representatives”) shall be personally liable to Developer, and no shareholder, director, officer, agent, employee, consultant or representative of Developer shall be personally liable to the City or the City Representatives in the event of any default or breach by any party under this Agreement, or for any amount which may become due to any party under the terms of this Agreement.

Section 8.13. Recordation of Agreement. The parties agree to record a memorandum of this Agreement with the St. Clair County Recorder of Deeds. The City shall pay the recording fees for same.

Section 8.14. Third Parties. Nothing in this Agreement, whether expressed or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any other person other than the City and Developer, nor is anything in this Agreement intended to relieve or discharge the obligation or liability of any third persons to either the City or Developer, nor shall any provision give any third parties any rights of subrogation or action over or against either the City or Developer. This Agreement is not intended to and does not create any third party beneficiary rights whatsoever.

Section 8.15. No Joint Venture, Agency or Partnership. Nothing in this Agreement, or any actions of the parties to this Agreement, shall be construed by the parties or any third person to create the relationship of a partnership, agency or joint venture between or among such parties.

Section 8.16. Repealer. To the extent that any ordinance, resolution, rule, order or provision of the City’s code of ordinances, or any part thereof, is in conflict with the provisions of this Agreement, the provisions of this Agreement shall be controlling, to the extent lawful.

ARTICLE NINE

RELEASE AND INDEMNIFICATION

Section 9.1. City. The City and its governing body members, officers, agents and employees and the City Attorney shall not be liable to Developer for damages or otherwise in the event that all or any part of the TIF Act, the Redevelopment Plan, Developer’s Development Project or this Agreement is

declared invalid or unconstitutional in whole or in part by the final (as to which all rights of appeal have expired or have been exhausted) judgment of any court of competent jurisdiction, and by reason thereof either the City is prevented from performing any of the covenants and agreements herein, or Developer is prevented from enjoying the rights and privileges herein; provided that nothing in this paragraph shall limit: (i) Claims by Developer to Incremental Property Taxes pledged to payment of Reimbursable Developer Development Project Costs pursuant to this Agreement, or (ii) Actions by Developer seeking specific performance of this Agreement, other relevant contracts, or of zoning or planning approvals or Governmental Approvals issued by the City.

All covenants, stipulations, promises, agreements and obligations of the City contained herein shall be deemed to be the covenants, stipulations, promises, agreements and obligations of the City and not of any of its governing body members, officers, agents, servants or employees in their individual capacities. No elected or appointed official, employee or representative of the City shall be personally liable to Developer in the event of a default or breach by any party under this Agreement.

The City releases from, and covenants and agrees that Developer, its members, officers, agents, and employees shall not be liable for any and all claims, suits, damages, expenses or liabilities arising out of (1) the acquisition of the portion of the Redevelopment Project Area owned by Developer, (2) the operation of all or any part of the Rec-Plex Parcel, or the condition of the Rec-Plex, including, without limitation, any environmental cost or liability, (3) negotiations, inspections, acquisitions, preparations, construction, leasing, operations, and other activities of the City or its agents in connection with or relating to Developer's Development Project or the Redevelopment Project Area, except for matters arising out of the negligence or malfeasance, misfeasance or nonfeasance of Developer or any official, agent, employee, consultant, contractor or representative of Developer.

Section 9.2. Developer. Developer releases from, and covenants and agrees that the City and its governing body members, officers, agents, and employees and the City Attorney shall not be liable for any and all claims, suits, damages, expenses or liabilities arising out of (1) the acquisition of the portion of the Redevelopment Project Area owned by Developer, (2) the operation of all or any part of the Rec-Plex Parcel, or the condition of the Rec-Plex Parcel, including, without limitation, any environmental cost or liability, (3) negotiations, inspections, acquisitions, preparations, construction, leasing, operations, and other activities of Developer or its agents in connection with or relating to Developer's Development Project or the Redevelopment Project Area, and (4) any loss or damage to the Redevelopment Project Area, or any injury to or death of any person occurring at or about or resulting from any defect in the performance of the Developer Improvements, except for matters arising out of the negligence or malfeasance, misfeasance or nonfeasance of the City or any official, agent, employee, consultant, contractor or representative of the City.

ARTICLE TEN

TERM

Section 10.1. Term of Agreement. This Agreement, and all of the rights and obligations of the parties hereunder, shall terminate on expiration of the Agreement Term; provided that this Agreement may terminate sooner upon the earlier of the delivery of a written notice by Developer or the City (and recordation of a copy of such notice with the St. Clair County Recorder) that this Agreement has been terminated pursuant to **Section 10.2, 10.3 or 10.4** hereof.

Section 10.2. Developer's Right of Termination. Developer has the right to terminate this Agreement at any time upon not less than sixty (60) days written notice to the City.

Section 10.3. City's Right of Termination. The City may only terminate this Agreement if Developer fails to satisfy the provisions of **Section 5.1(a)** within the times specified therein and on such termination all rights and obligations of Developer and the City hereunder shall terminate.

Section 10.4. Cancellation. In the event Developer or the City shall be prohibited, in any material respect, from performing covenants and agreements or enjoying the rights and privileges herein contained, or contained in the Redevelopment Plan, including Developer's duty to construct Developer Improvements, by the order of any court of competent jurisdiction, or in the event that all or any part of the TIF Act or any ordinance or resolution adopted by the City in connection with Developer's Development Project, shall be declared invalid or unconstitutional, in whole or in part, by a final decision of a court of competent jurisdiction and such declaration shall materially affect the Redevelopment Plan or the covenants and agreements or rights and privileges of Developer or the City, then and in any such event, the party so materially affected may, at its election, cancel or terminate this Agreement in whole (or in part with respect to that portion of the Developer's Development Project materially affected) by giving written notice thereof to the other within thirty (30) days after such final decision or amendment. If the City terminates this Agreement pursuant to this **Section 10.4**, the cancellation or termination of this Agreement shall have no effect on the authorizations granted to Developer for buildings permitted and under construction to the extent permitted by said court order; and the cancellation or termination of this Agreement shall have no effect on perpetual easements contained in any recorded, properly executed document.

Section 10.5. Obligations Remain Outstanding. On termination of this Agreement pursuant to **Sections 10.2, 10.3 or 10.4**, all outstanding obligations of the City to reimburse Developer for Incremental Property Taxes, and its outstanding Developer TIF Note, as the case may be, shall remain outstanding. If Developer has submitted to the City, within 60 days after the termination of this Agreement pursuant to this section, a Certificate of Reimbursable Developer Development Project Costs, but the City has not yet approved such certificate, the City shall review and process such certificates in accordance with **Section 5.5** hereof.

ARTICLE ELEVEN

REPRESENTATIONS OF THE PARTIES

Section 11.1. Representations of the City. The City hereby represents and warrants that (a) the City has full constitutional and lawful right, power and authority, under current applicable law, to execute and deliver this Agreement and to perform all terms and obligations of this Agreement, and (b) this Agreement constitutes the legal, valid and binding obligation of the City, enforceable in accordance with its terms.

Section 11.2. Representations of Developer. Developer hereby represents and warrants that (a) it has full power to execute and deliver and perform the terms and obligations of this Agreement and all of the foregoing has been duly and validly authorized by all necessary corporate proceedings, and (b) this Agreement constitutes the legal, valid and binding obligation of Developer, enforceable in accordance with its terms.

ARTICLE TWELVE

EFFECTIVENESS

The Effective Date for this Agreement shall be the day on which this Agreement is approved by the City, with said date being inserted on page 1 hereof.

IN WITNESS WHEREOF, the City and Developer have caused this Agreement to be executed in their respective names and caused their respective seals to be affixed thereto, and attested as to the date first above written.

(SEAL)

CITY OF O'FALLON, ILLINOIS

By: _____
Name: _____
Title: Mayor

Attest:

By: _____
Name: _____
Title: City Clerk

Approved as to Form:

By: _____
Name: _____
Title: City Attorney

DRAFT

S. I. STRATEGY, LLC

By: _____

Name: _____

Title: _____

DRAFT

STATE OF ILLINOIS)
)
COUNTY OF ST. CLAIR)

On this ____ day of _____, 2015, before me appeared _____, who being, by me duly sworn, did say that he is the Mayor, City of O'Fallon, Illinois, a home rule unit of government of the State of Illinois, and did say that the seal affixed to the foregoing instrument is the seal of said City, and that said instrument was signed and sealed on behalf of said City, by authority of the City Council of the City; and said Mayor acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My term expires:

DRAFT

STATE OF _____)
)
COUNTY OF ST. CLAIR)

On this ___ day of _____, 2015, before me appeared _____, to me personally known, who being, by me duly sworn, did say that he is the _____ of S. I. Strategy, LLC, an Illinois limited liability company in the State of Illinois, and that the foregoing instrument was signed on behalf of said company, and he further acknowledged said instrument to be the free act and deed of said partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My Commission expires:

DRAFT

EXHIBIT A

LEGAL DESCRIPTION

ROUTE 50/SCOTT-TROY ROAD
REDEVELOPMENT PROJECT AREA
LEGAL DESCRIPTION
TIF PARCEL

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE, NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, 248.61 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE, CONTINUING NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON SAID SOUTHEASTERLY LINE, 418.69 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WESTMORE DEVELOPMENT IN DEED BOOK 3083 ON PAGE 1042 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST, 441.64 FEET; THENCE, SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 599.83 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 120.00 FEET TO THE EAST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, SOUTHERLY FOLLOWING THE EAST R.O.W. LINE OF SCOTT-TROY ROAD UNTIL IT INTERSECTS THE NORTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY FOLLOWING THE NORTH R.O.W. LINE OF U.S. ROUTE 50, 157.00 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING ALONG SAID NORTH R.O.W. LINE OF U.S. ROUTE 50, SOUTH 56 DEGREES 40 MINUTES 06 SECONDS WEST, 941.00 FEET; THENCE, ALONG SAID

NORTH R.O.W. LINE OF U.S. ROUTE 50 ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1877.08 FEET, A CHORD BEARING, SOUTH 57 DEGREES 11 MINUTES 53 SECONDS WEST, AND A CHORD DISTANCE OF 34.23 FEET; THENCE, NORTH 32 DEGREES 16 MINUTES 46 SECONDS WEST, 128.00 FEET; THENCE, ALONG A CURVE HAVING A RADIUS POINT TO THE NORTH, A RADIAL DISTANCE OF 1749.08 FEET, A CHORD BEARING, SOUTH 62 DEGREES 05 MINUTES 35 SECONDS WEST, AND A CHORD DISTANCE OF 266.70 FEET; THENCE, SOUTH 12 DEGREES 09 MINUTES 12 SECONDS EAST , 51.90 FEET; THENCE, SOUTH 77 DEGREES 46 MINUTES 09 SECONDS WEST ON THE NORTHERLY LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF ILLINOIS IN DEED BOOK 2680 ON PAGE 1156 IN SAID RECORDER OF DEED'S OFFICE, 289.17 FEET; THENCE, NORTH 00 DEGREES 38 MINUTES 08 SECONDS EAST, 666.02 FEET; THENCE, SOUTH 85 DEGREES 33 MINUTES 41 SECONDS EAST, 230.00 FEET; THENCE, NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST, 425.00 FEET; THENCE, NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, 476.32 FEET TO THE POINT OF BEGINNING.

Parcel ID Numbers (PIN)

04-33.0-200-033
04-28.0-400-032
04-28.0-400-028
04-33.0-200-019
04-33.0-200-025
04-33.0-200-026

Totaling approximately 47 acres, including existing public ROW (44 acres net of ROW).

EXHIBIT B

LEGAL DESCRIPTION OF REC-PLEX PROPERTY AND REC-PLEX DRIVE

LEGAL DESCRIPTION PHASE 1 ONLY

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, A DISTANCE OF 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE NORTH 72 DEGREES 15 MINUTES 41 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, A DISTANCE OF 248.61 FEET, TO THE WEST LINE OF THE PARENT TRACT AND AN IRON PIN FOUND; THENCE NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST (NORTH 72 DEGREES 15 MINUTES 41 SECONDS EAST RECORD) ON SAID SOUTHEASTERLY LINE, A DISTANCE OF 280.00 FEET, TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, CONTINUING ALONG SAID SOUTHEASTERLY LINE HAVING A BEARING OF NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST (NORTH 72 DEGREES 15 MINUTES 41 SECONDS EAST RECORD), A DISTANCE OF 138.69 FEET, TO AN IRON PIN FOUND; THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE HAVING A BEARING OF NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST (NORTH 72 DEGREES 04 MINUTES 05 SECONDS EAST RECORD), A DISTANCE OF 441.64 FEET (441.89 FEET RECORD), TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 16 DEGREES 13 MINUTES 18 SECONDS EAST, A DISTANCE OF 200.38 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 230.00 FEET, A DELTA OF 15 DEGREES 43 MINUTES 48 SECONDS, AN ARC LENGTH OF 63.14 FEET, AND A CHORD WHICH BEARS SOUTH 79 DEGREES 36 MINUTES 35 SECONDS WEST HAVING A CHORD DISTANCE OF 62.95 FEET; THENCE SOUTH 71 DEGREES 44 MINUTES 42 SECONDS WEST, A DISTANCE OF 113.55 FEET;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 230.00 FEET, A DELTA OF 71 DEGREES 27 MINUTES 59 SECONDS, AN ARC LENGTH OF 286.88 FEET, AND A CHORD WHICH BEARS SOUTH 36 DEGREES 00 MINUTES 42 SECONDS WEST HAVING A CHORD DISTANCE OF 268.65 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 42 SECONDS WEST, A DISTANCE OF 573.91 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 170.00 FEET, A DELTA OF 20 DEGREES 54 MINUTES 06 SECONDS, AN ARC LENGTH OF 62.02 FEET, AND A CHORD WHICH BEARS SOUTH 10 DEGREES 43 MINUTES 46 SECONDS WEST HAVING A CHORD DISTANCE OF 61.67 FEET; THENCE SOUTH 21 DEGREES 10 MINUTES 49 SECONDS WEST, A DISTANCE OF 100.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 230.00 FEET, A DELTA OF 20 DEGREES 54 MINUTES 07 SECONDS, AN ARC LENGTH OF 83.91 FEET, AND A CHORD WHICH BEARS SOUTH 10 DEGREES 43 MINUTES 46 SECONDS WEST HAVING A CHORD DISTANCE OF 83.44 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 42 SECONDS WEST, A DISTANCE OF 82.74 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 18 SECONDS WEST, A DISTANCE OF 124.70 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 42 SECONDS EAST, A DISTANCE OF 240.00 FEET; THENCE NORTH 85 DEGREES 33 MINUTES 41 SECONDS WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST (NORTH 33 DEGREES 00 MINUTES 00 SECONDS WEST RECORD), A DISTANCE OF 425.00 FEET (MEASURED AND RECORDED), TO THE WEST LINE OF PARENT TRACT; THENCE ALONG SAID WEST LINE OF PARENT TRACT HAVING A BEARING OF NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST (NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST RECORD), A DISTANCE OF 416.32 FEET; THENCE ALONG A LINE PARALLEL TO THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH HAVING A BEARING OF NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST, A DISTANCE OF 280.00 FEET; THENCE ALONG A LINE PARALLEL TO SAID WEST LINE OF PARENT TRACT HAVING A BEARING OF NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, A DISTANCE OF 60.00 FEET, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 12.46 ACRES, MORE OR LESS.

LEGAL DESCRIPTION
PHASE 1 ROAD ONLY

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, A DISTANCE OF 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE NORTH 72 DEGREES 15 MINUTES 41 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, A DISTANCE OF 248.61 FEET, TO THE WEST LINE OF THE PARENT TRACT AND AN IRON PIN FOUND; THENCE NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST (NORTH 72 DEGREES 15 MINUTES 41 SECONDS EAST RECORD) ON SAID SOUTHEASTERLY LINE, A DISTANCE OF 418.69 FEET (417.45 FEET RECORD), TO AN IRON PIN FOUND; THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE HAVING A BEARING OF NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST (NORTH 72 DEGREES 04 MINUTES 05 SECONDS EAST RECORD), A DISTANCE OF 441.64 FEET (441.89 FEET RECORD), TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST (SOUTH 89 DEGREES 22 MINUTES 00 SECONDS EAST RECORD), A DISTANCE OF 599.83 FEET (599.49 FEET RECORD), TO THE WESTERLY ROW LINE OF SCOTT-TROY ROAD, TO AN IRON PIN FOUND; THENCE ALONG SAID WESTERLY ROW LINE OF SCOTT-TROY ROAD HAVING A BEARING OF SOUTH 08 DEGREES 22 MINUTES 41 SECONDS WEST (SOUTH 08 DEGREES 33 MINUTES 13 SECONDS WEST RECORD), A DISTANCE OF 191.95 FEET, TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, CONTINUING ALONG SAID WESTERLY ROW LINE OF SCOTT-TROY ROAD HAVING A BEARING OF SOUTH 08 DEGREES 22 MINUTES 41 SECONDS WEST (SOUTH 08 DEGREES 33 MINUTES 13 SECONDS WEST RECORD), A DISTANCE OF 60.60 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 23 SECONDS WEST, A DISTANCE OF 495.99; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET, A DELTA OF 18 DEGREES 33 MINUTES 55 SECONDS, AN ARC LENGTH OF 55.08 FEET, AND A CHORD WHICH BEARS SOUTH 81 DEGREES 01 MINUTES 39 SECONDS WEST HAVING A CHORD DISTANCE OF 54.84 FEET; THENCE SOUTH 71 DEGREES 44 MINUTES 42 SECONDS WEST, A DISTANCE OF 113.55 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET, A DELTA OF 71 DEGREES 27 MINUTES 59 SECONDS, AN ARC LENGTH OF 212.05 FEET, AND A CHORD WHICH BEARS SOUTH 36 DEGREES 00 MINUTES 42 SECONDS WEST HAVING A CHORD DISTANCE OF 198.56 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 42 SECONDS WEST, A DISTANCE OF 573.91 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 230.00 FEET, A DELTA OF 20 DEGREES 54 MINUTES 07 SECONDS, AN ARC LENGTH OF 83.91 FEET, AND A CHORD WHICH BEARS SOUTH 10 DEGREES 43 MINUTES 46 SECONDS WEST HAVING A CHORD DISTANCE OF 83.44 FEET; THENCE SOUTH 21 DEGREES 10 MINUTES 49 SECONDS WEST, A DISTANCE OF 100.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET, A DELTA OF 20 DEGREES 54 MINUTES 07 SECONDS, AN ARC LENGTH OF 62.02 FEET, AND A CHORD WHICH BEARS SOUTH 10 DEGREES 43 MINUTES 46 SECONDS WEST HAVING A CHORD DISTANCE OF 61.67 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 42 SECONDS WEST, A DISTANCE OF 301.80 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET,

FEET, A DELTA OF 22 DEGREES 35 MINUTES 26 SECONDS , AN ARC LENGTH OF 67.03 FEET, AND A CHORD WHICH BEARS SOUTH 11 DEGREES 01 MINUTES 01 SECONDS EAST HAVING A CHORD DISTANCE OF 66.59 FEET;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1877.08 FEET, A DELTA OF 01 DEGREES 50 MINUTES 43 SECONDS , AN ARC LENGTH OF 60.46 FEET, AND A CHORD WHICH BEARS SOUTH 59 DEGREES 30 MINUTES 47 SECONDS WEST HAVING A CHORD DISTANCE OF 60.45 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 230.00 FEET, A DELTA OF 24 DEGREES 43 MINUTES 57 SECONDS, AN ARC LENGTH OF 99.28 FEET, AND A CHORD WHICH BEARS NORTH 12 DEGREES 05 MINUTES 16 SECONDS WEST HAVING A CHORD DISTANCE OF 98.51 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 42 SECONDS WEST, A DISTANCE OF 219.05 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 42 SECONDS EAST, A DISTANCE OF 82.74 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 230.00 FEET, A DELTA OF 20 DEGREES 54 MINUTES 07 SECONDS, AN ARC LENGTH OF 83.91 FEET, AND A CHORD WHICH BEARS NORTH 10 DEGREES 43 MINUTES 46 SECONDS EAST HAVING A CHORD DISTANCE OF 83.44 FEET; THENCE NORTH 21 DEGREES 10 MINUTES 49 SECONDS EAST, A DISTANCE OF 100.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET, A DELTA OF 20 DEGREES 54 MINUTES 06 SECONDS, AN ARC LENGTH OF 62.02 FEET, AND A CHORD WHICH BEARS NORTH 10 DEGREES 43 MINUTES 46 SECONDS EAST HAVING A CHORD DISTANCE OF 61.67 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 42 SECONDS EAST, A DISTANCE OF 573.91 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 230.00 FEET, A DELTA OF 71 DEGREES 27 MINUTES 59 SECONDS, AN ARC LENGTH OF 286.88 FEET, AND A CHORD WHICH BEARS NORTH 36 DEGREES 00 MINUTES 42 SECONDS EAST HAVING A CHORD DISTANCE OF 268.65 FEET; THENCE NORTH 71 DEGREES 44 MINUTES 42 SECONDS EAST, A DISTANCE OF 113.55 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 230.00 FEET, A DELTA OF 18 DEGREES 33 MINUTES 55 SECONDS, AN ARC LENGTH OF 74.53 FEET, AND A CHORD WHICH BEARS NORTH 81 DEGREES 01 MINUTES 39 SECONDS EAST HAVING A CHORD DISTANCE OF 74.20 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 23 SECONDS WEST, A DISTANCE OF 504.50 FEET, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 2.94 ACRES, MORE OR LESS.

EXHIBIT C
CONCEPT PLAN

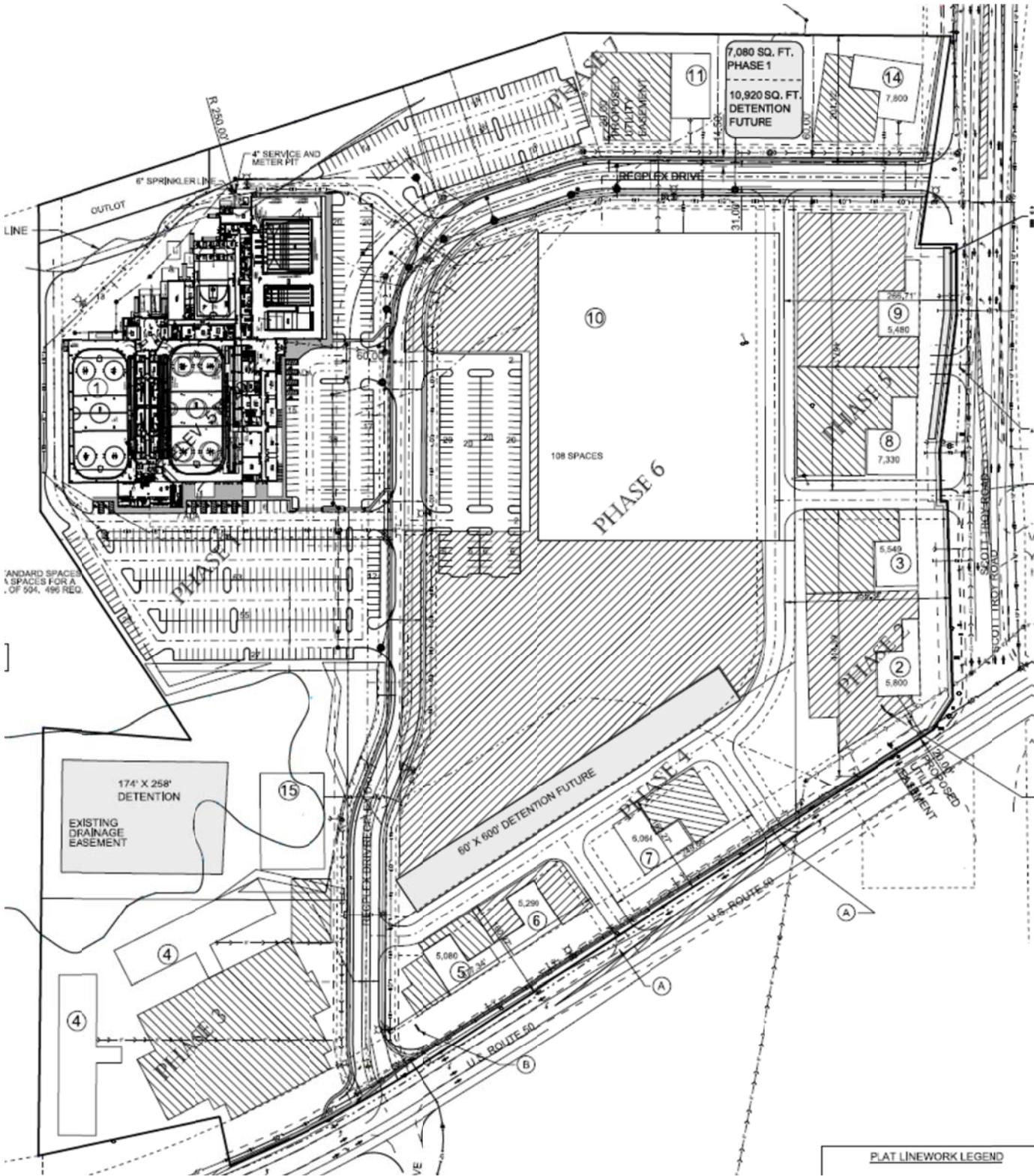


EXHIBIT D

FORM OF CERTIFICATE OF SUBSTANTIAL COMPLETION

The undersigned, S. I. Strategy, LLC, (“Developer”), pursuant to that certain Redevelopment Agreement dated as of _____, 2015, between the City of O’Fallon, Illinois (the “City”) and Developer (the “Agreement”), hereby certifies to the City as follows:

1. That as of _____, _____, the construction and installation of the Developer Improvements in connection with Developer’s Development Project (as such term is defined in the Agreement) has been substantially completed in accordance with the Agreement.
2. Such Developer Improvements have been performed in a workmanlike manner.
3. This Certificate of Substantial Completion is being issued by Developer to the City in accordance with the Agreement to evidence Developer’s satisfaction of all obligations and covenants with respect to the Developer Improvements.
4. The City’s acceptance (below) or the City’s failure to object in writing to this Certificate within 30 days of the date of delivery of this Certificate to the City (which written objection, if any, must be delivered to Developer prior to the end of such thirty (30) day period), shall evidence the satisfaction of Developer’s agreements and covenants to perform the Work related to the Developer Improvements.

This Certificate may be recorded in the office of the St. Clair County Recorder. This Certificate is given without prejudice to any rights against third parties which exist as of the date hereof or which may subsequently come into being. Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Agreement.

Dated this _____ day of _____, _____.

S. I. STRATEGY, LLC, (“DEVELOPER”)

By: _____
Name: _____
Title: _____

Accepted by:
CITY OF O’FALLON, ILLINOIS

By: _____
Name: _____
Title: _____

EXHIBIT E

FORM OF CERTIFICATE OF REIMBURSABLE DEVELOPER REDEVELOPMENT PROJECT COSTS

Certificate of Reimbursable Developer Redevelopment Project Costs

TO: City of O’Fallon, Illinois
Attention:

Re: City of O’Fallon, Illinois Tax Increment Finance District (Route 50/Scott-Troy Road)

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Redevelopment Agreement dated as of _____, 2015 (the “Agreement”) between the City and Developer. In connection with said Agreement, the undersigned hereby states and certifies that:

1. Each item listed on **Schedule 1** hereto is a Reimbursable Redevelopment Project Cost and was incurred in connection with the construction of the Developer Improvements in connection with the Developer’s Development Project.

2. These Developer Redevelopment Project Costs have been paid by Developer and are reimbursable under the TIF Ordinance and the Agreement.

3. Each item listed on **Schedule 1** has not previously been paid or reimbursed from Incremental Property Taxes and no part thereof has been included in any other certificate previously filed with the City.

4. There has not been filed with or served upon Developer any notice of any lien, right of lien or attachment upon or claim affecting the right of any person, firm or corporation to receive payment of the amounts stated in this request, except to the extent any such lien is being contested in good faith.

5. All necessary permits and approvals required for the component of the work for which this certificate relates have been issued and are in full force and effect.

6. All work for which payment or reimbursement is requested has been performed in a good and workmanlike manner and in accordance with the Agreement.

Dated this _____ day of _____, _____.

S. I. Strategy, LLC

By: _____

Name: _____

Title: _____

EXHIBIT F

DEVELOPER IMPROVEMENTS

The Improvements involve the development of a planned commercial center, known as Four Points Center, to be anchored by a large privately-owned multifunction rec-plex facility not found in the St. Louis metropolitan area. The proposed uses include:

- 130,000+ square foot indoor Rec-Plex containing:
 - Two sheets of NHL regulation ice & spectator seating
 - Olympic size swimming pool and diving boards/platform
 - Half basketball court
 - Locker rooms

- Retail space

- Restaurants

- Hotels

- Office space

The Improvements also include, but are not limited to, all necessary support facilities such as:

- (1) utilities, including construction, reconstruction and/or relocation of utilities;
- (2) a parking lot and all parking lot improvements;
- (3) demolition of existing buildings and other site preparation;
- (4) street improvements and landscaping;
- (5) water detention, water lines, sewer lines, Route 50/Scott Troy Road Improvements per the traffic study.

Exhibit G
Eligible Redevelopment Project Costs
Route 50/Scott-Troy Road Redevelopment Project Area
City of O'Fallon, Illinois

<u>Description</u>	<u>Estimated Cost</u>
A. Public Works or Improvements <i>(Construction of streets, curb and gutters, utilities, and other public improvements)</i>	\$ 6,700,000.00
B. Property Assembly <i>(Acquisition of land and site preparation, including storm water detention)</i>	\$ 2,725,000.00
C. Building Rehabilitation/Retrofit	\$ 10,000.00
D. Taxing District Capital Costs	\$ 10,000.00
E. Job Training	\$ 10,000.00
F. Interest Costs Incurred by Developers <i>(30% of interest costs)</i>	\$ 500,000.00
G. Planning, Legal & Professional Services	\$ 300,000.00
H. General Administration	\$ 350,000.00
I. Financing Costs	\$ See Note 3
J. Contingency	\$ 1,590,000.00
 Total Estimated Eligible Costs	 <u>\$ 12,195,000.00</u>

Notes:

1. All costs shown are in 2014 dollars.
2. Adjustments may be made among line items within the budget to reflect program implementation experience.
3. Municipal financing costs such as interest expense, capitalized interest and cost of issuance of obligations are not quantified herein. These costs are subject to prevailing market conditions and will be considered part of the total redevelopment project.
4. Private redevelopment costs and investment are in addition to the above.
5. The total estimated redevelopment project costs shall not be increased by more than 5% after adjustment for inflation from the date of the Plan adoption, per subsection 11-74.4.5 (c) of the Act.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF
O’FALLON THAT PROPOSES THE
APPROVAL OF A BUSINESS DISTRICT
PLAN FOR THE PROPOSED ROUTE
50/SCOTT-TROY ROAD BUSINESS DISTRICT
AND FIXING A TIME AND PLACE FOR A
PUBLIC HEARING DATE ON THE PLAN
AND DESIGNATING THE BUSINESS
DISTRICT**

WHEREAS, the City of O’Fallon, St. Clair County, Illinois (the “City”) has the authority to designate certain areas of the City as a Business District pursuant to the Illinois Business District Development and Redevelopment Law, Section 65 ILCS 5/11-74.3-1, et seq., as amended (the “Law”); and

WHEREAS, pursuant to the Law, the City has prepared a Business District Plan (the “Plan”) for properties located within the proposed Route 50/Scott-Troy Road Business District (the “Business District”); and

WHEREAS, because of a lack of streets within the proposed District, it constitutes an economic liability to the community; and

WHEREAS, the purpose of the Plan and the designation of the Business District is to eradicate the blighting conditions that exist and to assure opportunities for development or redevelopment, encouraging private investment, and attracting sound and stable business and commercial growth to the Business District; and

WHEREAS, the Law requires that the City hold a public hearing to take testimony from the public regarding the proposed Plan and designation of the Business District.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF O’FALLON, ILLINOIS, that

Section 1. That the preceding recitations in the upper part of this Resolution are realleged, restated and adopted as Section 1 of this Resolution; and

Section 2. That the public hearing shall be held before the City Council on May 4, 2015, beginning at 7:00 p.m., at the O’Fallon City Hall.

Section 3. That the City Clerk is hereby authorized and directed to publish notices of this public hearing as required under the Law.

Section 4. That this Ordinance shall become effective immediately upon its passage.

Passed by the City Council this _____ day of _____ 2015.

Business District Plan

Route 50/Scott-Troy Road Business District

Prepare for

City of O'Fallon, Illinois

Prepared by

PGAV  **PLANNERS**

March 19, 2015

CITY OF O'FALLON, ILLINOIS

MAYOR

Gary L. Graham

CITY COUNCIL

Gene McCoskey, Ward 1
Richie Meile, Ward 1
Ed True, Ward 2
Jerry Albrecht, Ward 2
Jerry Mouser, Ward 3
Kevin Hagarty, Ward 3
John Drolet, Ward 4

Herb Roach, Ward 4
Michael Bennett, Ward 5
Courtney Cardona, Ward 5
Jim Hursey, Ward 6
Ray Holden, Ward 6
David Cozad, Ward 7
Harlan Gerrish, Ward 7

CITY CLERK

Phil Goodwin

CITY ADMINISTRATOR

Walter Denton

COMMUNITY DEVELOPMENT DIRECTOR

Ted Shekell

FINANCE DIRECTOR

Sandy Evans

CITY ATTORNEY

Dale Funk

SPECIAL TIF COUNSEL

Terry Bruckert

TABLE OF CONTENTS

SECTION 1 – INTRODUCTION.....	1
Background.....	1
Area Boundary and Need for the Business District	1
Municipal Authority	2
Additional Statutory Provisions.....	5
SECTION 2 – ANALYSIS OF BLIGHTING FACTORS.....	7
Qualifications Analysis for the Business District	7
Qualification Summary and Findings	8
SECTION 3 – BUSINESS DISTRICT PLAN.....	10
Description of the Business District	10
Purpose of the Plan.....	10
Business District Objectives	10
General Description and Location of Proposed Projects	12
Business District Policies.....	12
Business District Project Costs.....	15
Sources of Funds to Pay Business District Project Costs.....	17
SECTION 4 – FINDINGS AND AMENDMENTS TO THE BUSINESS DISTRICT PLAN	20
Establishment and Term of the Business District	20
Findings of the Plan.....	20
Plan Amendments	21
<u>EXHIBITS</u>	
A Boundary Map - Route 50/Scott-Troy Road Business District.....	2
B General Land Use Plan.....	13
C Estimated Business District Project Costs	17

APPENDIX

Route 50/Scott-Troy Road Business District Boundary Description

SECTION 1

INTRODUCTION

BACKGROUND

The City recognizes that its long-term viability depends, in part, on strengthening its tax base by diversifying its economic base. The City has determined that it is essential to its economic and social welfare to identify and promote opportunities for development and private investment in order to attract sound and stable commercial growth.

The purpose of this document is to set forth a plan to induce the commercial development of approximately 44 acres located northwest of the intersection of U.S. Route 50 and Scott-Troy Road. This will include the financial assistance to help offset some of the costs associated with the construction of necessary public streets and utilities to support such development. Recently, the City has been approached by a developer wishing to build a multi-function recreation complex (the "Rec-Plex") featuring ice hockey and competitive swimming. In addition, the developer anticipates attracting the development of two hotels, retail/restaurant space, office and other commercial uses in a business park setting. However, the developer will not proceed with the project absent financial incentives to help offset development costs.

The City has determined that the Business District Development and Redevelopment Law (65 ILCS 5/11-74.3-1, et. seq.) (the "Law") is an appropriate vehicle, in addition to tax increment financing ("TIF"), to be used as an inducement for funding a portion of the costs associated with providing the necessary street improvements, water and sewer lines, and storm water handling facilities that are required to serve this property. Designating the area as a Business District will advance the City's goal of strengthening its commercial base, including increasing overnight stays by visitors to O'Fallon. This will, in turn, bolster the tax base of the City.

AREA BOUNDARY AND NEED FOR THE BUSINESS DISTRICT

The boundaries of the area to be addressed in this Plan are delineated on **Exhibit A, Boundary Map - Route 50/Scott-Troy Road Business District** and a boundary description is located in the **Appendix** of this Plan. The business district will be named the **Route 50/Scott-Troy Road Business District** and is referred to herein as "the Business District". The Business District contains approximately 51.8 acres of land, including highway and road rights-of-way (44 net acres).

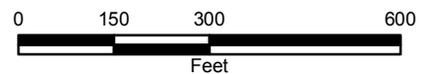
**Exhibit A
Boundary Map**

Route 50 / Scott-Troy Road Business District



Legend

 Route 50/Scott-Troy Road Business District Boundary



The purpose of the Business District is to induce the commercial development of the Business District with the initial development being the Rec-Plex on approximately 8.8 acres of the 44 net acres by S.I. Strategy, LLC (hereafter referred to as the "Developer").

In order to construct the proposed improvements, certain public improvements costing approximately \$4.2 million have to be constructed in order to serve the Rec-Plex, but will also serve other future development sites. These improvements include:

- Construction of public streets, including dedicating rights-of-way for such; and
- Installation of water mains, natural gas, sanitary sewer, and storm sewer facilities to serve the Rec-Plex and future development.
- Upgrades to the intersection of U.S. Route 50 and Scott-Troy Road.

The Developer has demonstrated to the City satisfaction that the total of the costs associated with the developing the 44 acres will make the Rex-Plex and future development projects economically infeasible. When the level of costs required to develop an area equals or exceeds the income potential, the developer's ability to make a profit is reduced (or eliminated) and therefore the development does not occur.

The only development that has occurred in the Business District is the construction contractor facilities located on a four acre parcel. The building on this parcel was originally built in the mid 1960's. In spite of the fact that the City and County have promoted this general location for development for years and that the subject properties were included in a TIF district established in 1995, the Business District on whole has not been subject to growth and development through investment by private enterprise.

MUNICIPAL AUTHORITY

The Business District Law authorizes Illinois municipalities to designate an area within the municipality as a business district. A business district must be established in conformance with a specific plan officially approved by the corporate authorities of the municipality after a public hearing. A business district must also conform to the municipality's comprehensive plan.

The exercise of the powers provided for in the Business District Law is dedicated to the promotion of the public interest and to the enhancement of the tax base of business districts. The use of such powers for the development and redevelopment of business districts is a public use essential to the public interest. In accordance with the Business District Law, the City may exercise the following powers:

- “(1) To make and enter into all contracts necessary or incidental to the implementation and furtherance of a business district plan. A contract by and between the municipality and any developer or other nongovernmental person to pay or reimburse said developer or other nongovernmental person for business district project costs incurred or to be incurred by said developer or other nongovernmental person shall not be deemed an economic incentive agreement under Section 8-11-20, notwithstanding the fact that such contract provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes (including, without limitation, taxes imposed pursuant to subsection 10) the municipality receives from the development or redevelopment of properties in the business district. Contracts entered into pursuant to this subsection shall be binding upon successor corporate authorities of the municipality and any party to such contract may seek to enforce and compel performance of the contract by civil action, mandamus, injunction, or other proceeding.*
- (2) Within a business district, to acquire by purchase, donation, or lease, and to own, convey, lease, mortgage, or dispose of land and other real or personal property or rights or interests therein; and to grant or acquire licenses, easements, and options with respect thereto, all in the manner and at such price authorized by law. No conveyance, lease, mortgage, disposition of land or other property acquired by the municipality or agreement relating to the development of property, shall be made or executed except pursuant to prior official action of the municipality. No conveyance, lease, mortgage, or other disposition of land owned by the municipality, and no agreement relating to the development of property, within a business district shall be made without making public disclosure of the terms and disposition of all bids and proposals submitted to the municipality in connection therewith.*
- (2.5) To acquire property by eminent domain in accordance with the Eminent Domain Act.*
- (3) To clear any area within a business district by demolition or removal of any existing buildings, structures, fixtures, utilities, or improvements, and to clear and grade land.*
- (4) To install, repair, construct, reconstruct, or relocate public streets, public utilities, and other public site improvements within or without a business district which are essential to the preparation of a business district for use in accordance with a business district plan.*
- (5) To renovate, rehabilitate, reconstruct, relocate, repair, or remodel any existing buildings, structures, works, utilities, or fixtures within any business district.*
- (6) To construct public improvements, including but not limited to buildings, structures, works, utilities, or fixtures within any business district.*

- (7) *To fix, charge, and collect fees, rents, and charges for the use of any building, facility, or property or any portion thereof owned or leased by the municipality within a business district.*
- (8) *To pay or cause to be paid business district project costs. Any payments to be made by the municipality to developers or other nongovernmental persons for business district project costs incurred by such developer or other nongovernmental person shall be made only pursuant to the prior official action of the municipality evidencing an intent to pay or cause to be paid such business district project costs. A municipality is not required to obtain any right, title, or interest in any real or personal property in order to pay business district project costs associated with such property. The municipality shall adopt such accounting procedures as shall be necessary to determine that such business district project costs are properly paid.*
- (9) *To apply for and accept grants, guarantees, donations of property or labor or any other thing of value for use in connection with a business district project.*
- (10) *If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs as set forth in the business district plan approved by the municipality.*
- (11) *If the municipality has by ordinance found and determined that the business district is a blighted area under this Law, to impose a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for the business district project costs as set forth in the business district plan approved by the municipality."*

ADDITIONAL STATUTORY PROVISIONS

In accord with the provisions of the Business District Law stated above, a municipality may enter into contracts necessary or incidental to the implementation and furtherance of a business district plan. This contracting power includes entering into an agreement with a developer or other nongovernmental person that provides for the sharing, rebate, or payment of retailers' occupation taxes or service occupation taxes the municipality receives from the development or redevelopment of properties in the business district.

Also, the corporate authorities of a municipality may impose a retailers' occupation tax, service occupation tax, or hotel operators' occupation tax by ordinance pursuant to subsection (10) or (11) of Section 11-74.3-3 of the Business District Law. However, in order to establish such tax-

es, the business district area must qualify as a “blighted area” as that term is defined in Section 11-74.3-5 of said law, to wit:

*“**Blighted area**” means an area that is a blighted area which, by reason of the predominance of defective, non-existent, or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire or other causes, or any combination of those factors, retards the provision of housing accommodations or constitutes an economic or social liability, an economic underutilization of the area, or a menace to the public health, safety, morals, or welfare.”*

Furthermore, a business district plan shall be prepared. As defined in Section 11-74.3-5 of the Business District Law, a “business district plan” is the written plan for the development or re-development of the area identified as the district and must contain the following information:

- “(i) a specific description of the boundaries of the proposed business district, including a map illustrating the boundaries;*
- (ii) a general description of each project proposed to be undertaken within the business district, including a description of the approximate location of each project and a description of any developer, user, or tenant of any property to be located or improved within the proposed business district;*
- (iii) the name of the proposed business district;*
- (iv) the estimated business district project costs;*
- (v) the anticipated source of funds to pay business district project costs;*
- (vi) the anticipated type and terms of any obligations to be issued; and*
- (vii) the rate of any tax to be imposed pursuant to subsection (10) or (11) of Section 11-74.3-3 and the period of time for which the tax shall be imposed.”*

This document constitutes the Route 50/Scott-Troy Road Business District Plan. It sets forth the necessity for the designation of the Business District, the qualifications of the Business District as a “blighted area”, a statement of objectives and policies to achieve these objectives, and a description of proposed projects for the Business District.

SECTION 2

ANALYSIS OF BLIGHTING FACTORS

QUALIFICATIONS ANALYSIS FOR THE BUSINESS DISTRICT

Because the City intends to implement an additional retailers' occupation tax, service occupation tax, and hotel operators' tax of up to 1% in accord with the provisions of the Business District Law, an evaluation of the conditions within the Business District was conducted. Information gathered for this analysis was derived from research of St. Clair County property assessment records, including tax mapping showing the existing platting of the Business District, and information provided by the City. The following discussion in this section of the Plan summarizes the existing conditions within the Business District that allow it to qualify as a "blighted area" as defined by the Business District Law.

Non-Existent or Inadequate Street Layout

In order to develop the Business District properly, it will be necessary to build an internal street system. Currently no such streets exist. As part of phase 1 of the proposed development, the Developer will construct a new collector street connecting Route 50 and Scott-Troy Road. This street will open up access to future subdivided lots including the initial 8.8 acre parcel where the Rec-Plex will be built. The Developer anticipates additional streets will be built to serve the balance of the Business District, but their alignments are to be determined based on size and location of future platted lots.

Economic Liability and Economic Underutilization

Currently, the 44 acres of private properties located within the proposed Business District generate relatively little in real property taxes. The aggregate real property tax generated by these properties for the 2013 tax year was \$3,650. The assessed value of the entire Area for the 2013 tax year was only \$45,519, which translates to a market value of approximately \$136,600 (about \$3,100 per acre). By way of comparison, the median value of an owner-occupied housing unit in O'Fallon was \$197,900.¹ Given its location at the intersection of Route 50 and

¹ Source: 2009-2013 American Community Survey, published by the United States Census Bureau.

<http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

Scott-Troy Road, it is clear that these properties represent an economic liability and economic underutilization.

The overall goal of the City is for the Business District to develop into a commercial development anchored by the Rec-Plex facility. This Rec-Plex is expected to host both collegiate and private club hockey tournaments and aquatic competitions that will draw from the Midwest and beyond. Through financial incentives, including those authorized under the Business District Law, the City expects to be able to induce private investment that will result in the Rec-Plex construction and follow-up development. In addition to property tax revenues, some of the commercial uses will generate sales-taxes as well. The City also relies on a hotel operators' occupation tax to promote tourism or otherwise increase overnight stays by visitors. The Developer anticipates that the Rec-Plex will generate additional demand for overnight stays and is planning for two new hotels within the Business District. These projects are predicated on the Business District being established, along with other incentives to be provided by the City.

Social Liability

By reason of the of lack of streets and utilities, the Business District constitutes a social liability to the City and the taxing districts that collect certain taxes generated on properties within the Business District. The City, which is entrusted with providing police protection, fire and rescue, snow removal, and other public services, is constantly faced with fiscal challenges to provide such services. The lack of tax revenue from the Business District presents lost opportunity for additional operating revenue for the City. Also, other units of government provide public services that are an integral part of the quality of life in a community. Without action on the part of the City to induce investment, these districts will lose out on the opportunity for property tax revenue increases that would be generated by commercial development in the Business District. In this way, the economic underutilization of the properties located within the Business District constitutes a social liability.

QUALIFICATION SUMMARY AND FINDINGS

Based on the "blighted area" definition outlined in the Business District Law, there are sufficient conditions that represent the required qualifications. These include:

- Non-existent streets and utilities.

- The properties within the Business District produce relatively little property taxes and have the potential to generate considerably more. This constitutes an economic underutilization of the properties within the Business District and thus creates an economic and social liability to the City and the taxing districts.

Therefore the Business District meets the standards as a “blighted area” per Section 11-74.3-5(3) of the Business District Law for designation as a “Business District” for purposes of imposing a tax pursuant to subsections (10) or (11) of Section 11-74.3-3 of the Business District Law. The Business District represents an area of the City, which by reason of the lack of streets constitutes an economic or social liability and an economic underutilization of the area.

SECTION 3

BUSINESS DISTRICT PLAN

DESCRIPTION OF THE BUSINESS DISTRICT

As stated in Section 1 of this Plan, the Route 50/Scott-Troy Road Business District consists of approximately 44 acres of private property. The boundaries of the Business District are delineated on **Exhibit A – Proposed Route 50/Scott-Troy Road Business District**, and a boundary description is attached in the **Appendix as Attachment A**. Included within the boundaries are the adjoining rights-of-way of U.S. Route 50 and Scott-Troy Road.

PURPOSE OF THE PLAN

The purpose of establishing the Business District Plan (the “Plan”) is to induce private investment in construction of buildings and site improvements. The Plan establishes the objectives and policies for development of the Business District.

Under the provision of the Illinois Business District Development and Redevelopment Law, the City intends to adopt each of the eligible Business District sales taxes (retailers’, service, and hotel operators’ occupation sales taxes) as provided for in Section 11-74.3-3 (10) and (11) of the Law at the maximum level of 1%. The Plan also describes the proposed uses of the revenue to be generated by the Business District tax and lays out policies for using Business District tax revenue to provide incentives to achieve the City’s objectives for the Business District.

BUSINESS DISTRICT OBJECTIVES

It is the overall objective of this Plan to induce the development of the Rec-Plex, hotels, retail, restaurant, office and other suitable commercial uses within the Business District. The Plan envisions the development of hotel and retail businesses oriented to Route 50 traffic. More specifically the objectives include:

Objective #1: Expansion of O'Fallon's economic base.

To use incentives to enhance the City’s commercial base by bringing the Rec-Plex, new retail, hotel and other businesses to an area that is economically underperforming. It is expected that tournaments at the Rec-Plex will bring additional overnight visitors to O'Fallon and will spend money at existing restaurants, hotels and other businesses in the community.

Objective #2: Encourage investment and growth in areas outside the District.

The location of the District is at the eastern growth zone of the community that has experienced some residential development over that past decade. Additional commercial and office development that offer goods and services and employment opportunities at this location may serve as a catalyst for additional residential growth. Another key component of this objective is to improve the prospects of redeveloping the now vacant Rock Springs mobile home park located across Scott-Troy Road from the Business District.

Objective #3: Remedy blighted conditions.

To provide for the construction of streets and installation of utilities that will eliminate the conditions that caused the Business District to qualify as a blighted area as defined in Business District Law.

The initial project proposed in this Business District will entail development of the Rec-Plex by a development entity known as S.I. Strategy, LLC (hereafter referred to as the "Developer"). This entity will have control of the entire 44 acres of private property within the Business District.

It is anticipated that this initial Rec-Plex development will induce the development of the other property that is located within the Business District. Development of these other lots may be undertaken by the same developer or other developer(s).

The Plan envisions that the Rec-Plex will be constructed as the initial phase of plan implementation. At this time it is assumed that development of the balance of the Business District will occur in multiple phases. However, it should not be construed that this Plan is intended to dictate the actual timing of the construction of the various infrastructure and building components. Instead, it is the intent of this Plan to provide option of multiple Business District projects to occur throughout the life of the Business District. This Plan also provides for the Business District revenues that might be used to fund additional streets and other public infrastructure extensions to serve other lots. Thus, in the context of this Plan, "Projects" may entail any of these activities and "Developer" may mean the developer named herein, the City, other developer(s), or any combination of these entities.

GENERAL DESCRIPTION AND LOCATION OF PROPOSED PROJECTS

Exhibit B – General Land Use Plan depicts the approximate location of development projects within the District. Below is a general description of the proposed projects:

- Construction of a new collector street (general alignment shown on Exhibit B)
- 130,000+ square foot indoor Rec-Plex containing:
 - Two sheets of NHL regulation ice & spectator seating
 - Olympic size swimming pool and diving boards/platform
 - Half basketball court
 - Locker rooms
- Commercial sites for:
 - Restaurants
 - Retail
 - Services
 - Office
- Hotel sites

It should be noted that the arrangement of the various development projects may vary from that shown on Exhibit B. The needs of specific end users will ultimately dictate specific locations of the above identified uses.

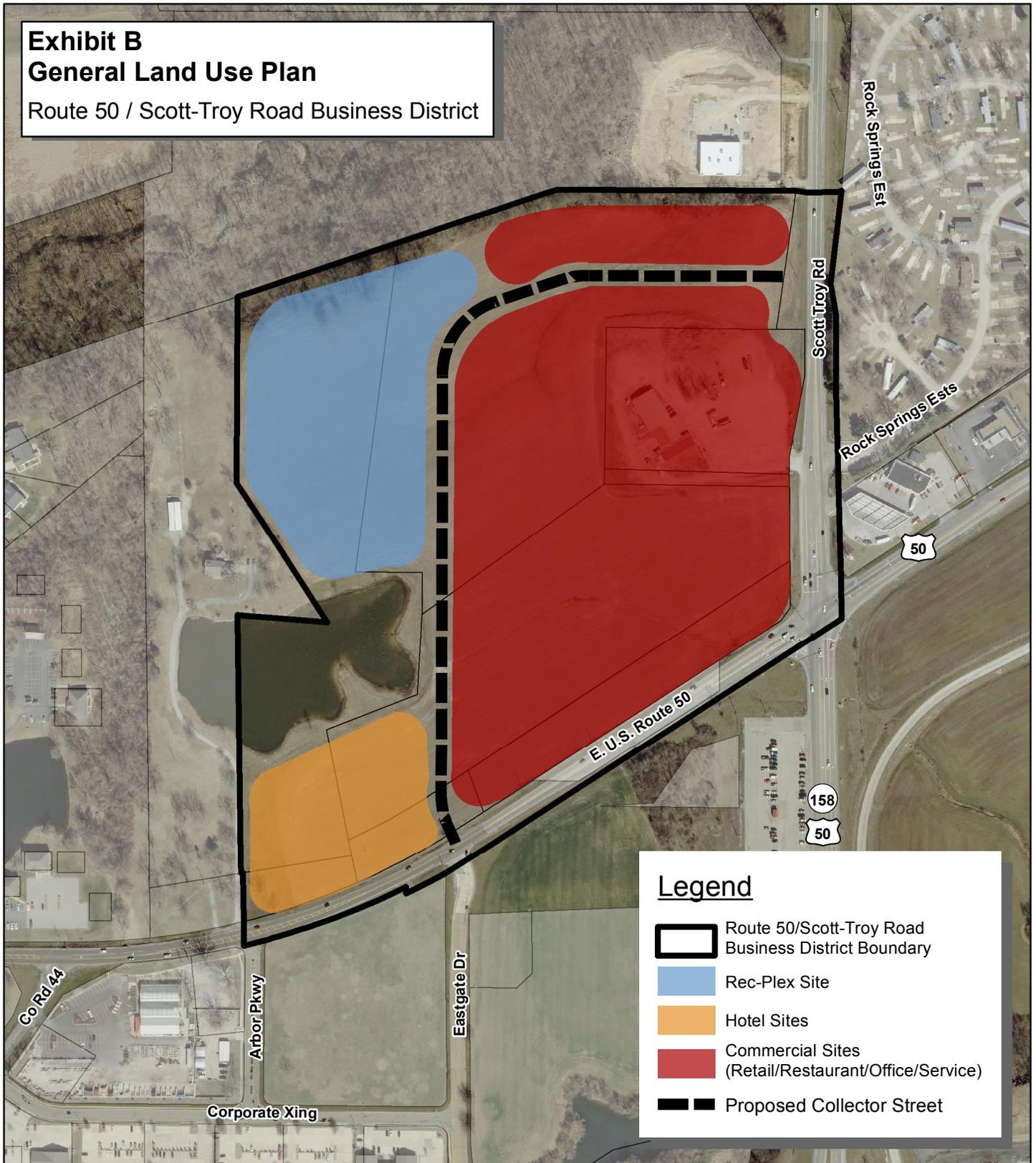
BUSINESS DISTRICT POLICIES

It is the intent of this Plan to foster development within the Business District in a manner that is consistent with good urban planning practices, the City's economic development goals and objectives, and all applicable codes and ordinances. The policies as set forth below are established to promote these objectives.

Development Agreements or Other Such Instruments

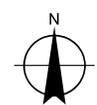
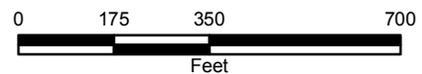
In order to ensure that development occurs in a manner consistent with this Plan, the City and the Developer are expected to enter into a development agreement or other such instrument that will establish the terms and conditions under which Business District financial incentives are to be provided. Such instruments may establish, among other things:

Exhibit B
General Land Use Plan
 Route 50 / Scott-Troy Road Business District



Legend

-  Route 50/Scott-Troy Road Business District Boundary
-  Rec-Plex Site
-  Hotel Sites
-  Commercial Sites (Retail/Restaurant/Office/Service)
-  Proposed Collector Street



- the development entity to receive the incentives;
- the public and/or private improvements to be built, and
- identification of the type and amount of project costs to be reimbursed from Business District sales taxes.

It should be noted that the City may enter into multiple development agreements or other such instruments with other developers in order to implement the Business District Plan.

Development Policies

Development within the Business District should occur in a planned fashion. To this end, this Plan provides the following policy guidelines:

- Development should take place in a planned scheme that allows for the proper access and circulation within the initial development and remaining development sites.
- To the extent vehicular traffic generated by development projects within the Business District impacts Route 50, Scott-Troy Road and the intersection thereof, provide for the necessary improvements thereto to adequately mitigate such impacts.
- Development should conform to contemporary development standards such as provision of adequate off-street parking and appropriate site landscaping and buffer zones between properties in the Business District and adjoining residentially zoned areas.

Economic Incentives Policies

In order to induce private investment in the Business District, the City may provide certain economic incentives to private parties. In providing such incentives, it is not the policy or intent of the City to create an unfair advantage of one business over a like-kind business. Instead, incentives will be used to help make projects feasible by helping to offset extraordinary project costs that may include any costs as permitted in the Law and as cited earlier in this Section.

Additional policy guidelines and requirements include the following:

1. The project is consistent with the City's Zoning Ordinance and Comprehensive Plan.
2. All work performed on the subject property shall be in accordance with City codes, and any other applicable State or Federal regulations.

3. At the time of application for economic incentives, all taxes, applicable fees or other debts owed to the State or City by the developer, property owners or tenants are paid up-to-date.
4. Application for economic incentives may only be made by a person or persons having an actual interest in the subject property. This includes the owner of record, beneficial owner of a trust, or a person having made a land purchase offer, which offer has been accepted.
5. Except as may be waived by the City, all economic incentives will be based on a “pay-as-you-go” basis. In other words economic incentives will not be provided up front, but instead, on a reimbursement basis from Business District sales tax revenues generated by the applicable businesses on an annual basis.
6. The economic incentives provided for in this Plan are not an entitlement, nor are they to be applied retroactively to development or redevelopment projects undertaken by private parties. The amount and terms of any economic incentives to be provided are determined on a case-by-case basis and shall be subject to an agreement between the City and the private party to be the beneficiary of such economic incentives.

BUSINESS DISTRICT PROJECT COSTS

The following costs are anticipated to be incurred in implementing the Route 50/Scott-Troy Road Business District. The Business District projects described above may entail a range of public and private activities and associated costs as provided for in Section 11-74.3-5 of the Business District Law, including without limitation the following:

- “(1) costs of studies, surveys, development of plans and specifications, implementation and administration of a business district plan, and personnel and professional service costs including architectural, engineering, legal, marketing, financial, planning, or other professional services, provided that no charges for professional services may be based on a percentage of tax revenues received by the municipality;*
- (2) property assembly costs, including but not limited to, acquisition of land and other real or personal property or rights or interests therein, and specifically including payments to developers or other nongovernmental persons as reimbursement for property assembly costs incurred by that developer or other nongovernmental person;*
- (3) site preparation costs, including but not limited to clearance, demolition or removal of any existing buildings, structures, fixtures, utilities, and improvements and clearing and grading of land;*

- (4) *costs of installation, repair, construction, reconstruction, extension, or relocation of public streets, public utilities, and other public site improvements within or without the business district which are essential to the preparation of the business district for use in accordance with the business district plan, and specifically including payments to developers or other nongovernmental persons as reimbursement for site preparation costs incurred by the developer or nongovernmental person;*
- (5) *costs of renovation, rehabilitation, reconstruction, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures within the business district, and specifically including payments to developers or other nongovernmental persons as reimbursement for costs incurred by those developers or nongovernmental persons;*
- (6) *costs of installation or construction within the business district of buildings, structures, works, streets, improvements, equipment, utilities, or fixtures, and specifically including payments to developers or other nongovernmental persons as reimbursements for such costs incurred by such developer or nongovernmental person;*
- (7) *financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations issued under this Law that accrues during the estimated period of construction of any development or redevelopment project for which those obligations are issued and for not exceeding 36 months thereafter, and any reasonable reserves related to the issuance of those obligations; and*
- (8) *relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law."*

The City intends to provide limited economic development assistance through the funding of certain development costs to be incurred by the Developer, future developer(s), property owner, or business under the terms and conditions of separate development agreements in furtherance of the objectives of this Plan. Economic development assistance may include expenditures for public and private improvements as estimated on **Exhibit C, Estimated Business District Project Costs** below.

Exhibit C should not be construed to limit the ability of the City to enter into development agreements, which provide for other costs, additional costs, or a different distribution of these costs among the various line items. Specific limitations on such cost items and any distribution between them will be specified in development agreements by and between the City and any developer(s), property owner, or business tenant.

SOURCES OF FUNDS TO PAY BUSINESS DISTRICT PROJECT COSTS

A portion of the funds necessary to pay for Business District project costs are to be derived from the following Business District Sales Taxes in accordance with Section 11-74.3-3 (10) and (11) of the Business District Law:

“...retailers' occupation tax and a service occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for business district project costs...” and “...a hotel operators' occupation tax in the business district for the planning, execution, and implementation of business district plans and to pay for the business district project costs...”

Exhibit C

ESTIMATED BUSINESS DISTRICT PROJECT COSTS

Route 50/Scott-Troy Road Business District
City of O'Fallon, Illinois

Description	Estimated Cost
A. Public Works <i>(Construction of streets, utilities, and other public improvements)</i>	\$6,000,000
B. Property Assembly <i>(Acquisition of land and other real and personal property)</i>	\$2,000,000
C. Site Preparation	\$725,000
D. Construction of Buildings & Other Site Improvements	\$1,500,000
E. Planning, Legal & Professional Services	\$300,000
F. General Administration	\$350,000
G. Relocation Costs	\$200,000
H. Financing Costs	See Note 3
I. Contingency	\$1,090,000
Total Estimated Costs	\$12,165,000

Notes:

- All costs shown are in 2015 dollars.
- Adjustments may be made among line items within the budget to reflect program implementation experience.
- Municipal financing costs such as interest expense, capitalized interest and cost of issuance of obligations are not quantified herein. These costs are subject to prevailing market conditions and will be considered part of the total business district
- Private redevelopment costs and investment are in addition to the above.
- The total estimated business district project costs shall not be increased by more than 5% after adjustment for inflation from the date of the Business District Plan was approved, per subsection 11-74.3-2 (f) of the Business District Law.

These taxes are to be imposed at the rate of 1% and are defined in Section 11-74.3-6 as follows:

- “(b) ...a Business District Retailers' Occupation Tax levied upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this State's government, and at retail in the business district at a rate of 1.0% of the gross receipts from the sales made in the course of such business... The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.”*
- “(c) ...a Business District Service Occupation Tax shall also be imposed upon all persons engaged, in the business district, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the business district, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be imposed at the same rate as the Business District Retailers' Occupation Tax, a rate of 1.0% of the selling price of tangible personal property so transferred within the business district,... The tax may not be imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use.”*
- “(d) ...an occupation tax upon all persons engaged in the business district in the business of renting, leasing, or letting rooms in a hotel, as defined in the Hotel Operators' Occupation Tax Act, at a rate not to exceed 1% of the gross rental receipts from the renting, leasing, or letting of hotel rooms within the business district,...excluding, however, from gross rental receipts the proceeds of renting, leasing, or letting to permanent residents of a hotel, as defined in the Hotel Operators' Occupation Tax Act, and proceeds from the tax imposed under subsection (c) of Section 13 of the Metropolitan Pier and Exposition Authority Act.”*

The City shall deposit the proceeds of the above described taxes imposed into a special fund of the City named the **“Route 50/Scott-Troy Road Business District Tax Allocation Fund”**.

Other sources of funds that may be used to pay the costs of implementation of the Business District objectives include:

- Private capital which is available to the Developer through its own cash reserves or financing entities;
- Improvements funded by third party tenants; and
- Other sources of public financing that may be identified at such time in the future to fund project costs.

The City may issue obligations secured by the Business District Tax Allocation Fund to provide for the payment of Business District project costs. Those obligations, if so issued, shall be retired in the manner provided in the ordinance authorizing the issuance of those obligations and shall be for a term not later than 20 years after the date of issue or the dissolution date of the Business District, whichever is earlier.

SECTION 4

FINDINGS AND AMENDMENTS TO THE BUSINESS DISTRICT PLAN

ESTABLISHMENT AND TERM OF THE BUSINESS DISTRICT

The establishment of the Business District shall become effective upon adoption of an ordinance by the City Council adopting this Plan. The Business District shall expire in accordance with the provisions of the Business District Law in Section 11-74.3-6 (f) that states:

“When business district project costs, including, without limitation, all obligations paying or reimbursing business district project costs have been paid, any surplus funds then remaining in the Business District Tax Allocation Fund shall be distributed to the municipal treasurer for deposit into the general corporate fund of the municipality. Upon payment of all business district project costs and retirement of all obligations paying or reimbursing business district project costs, but in no event more than 23 years after the date of adoption of the ordinance imposing taxes pursuant to subsection (10) or (11) of Section 11-74.3-3, the municipality shall adopt an ordinance immediately rescinding the taxes imposed pursuant to subsection (10) or (11) of Section 11-74.3-3.”

FINDINGS OF THE PLAN

The City hereby finds and determines as follows:

1. This Plan constitutes a specific plan for a business district named the Route 50/Scott-Troy Road Business District in the City of O'Fallon, St. Clair County, Illinois.
2. The designation of the Business District as identified in this Plan and the boundaries thereof delineated on **Exhibit A – Route 50/Scott-Troy Road Business District**, and as described the boundary description contained in the **Appendix**, will assure opportunities for development and attraction of quality commercial growth to the City.
3. The Business District is contiguous and includes only parcels of real property directly and substantially benefited by this Plan.
4. The City's exercise of the powers provided in the Business District Law is dedicated to the promotion of the public interest and to the enhancement of the tax base of the Business District, and the use of the powers for the development and redevelopment of the Business

District as provided in this Plan is declared to be a public use essential to the public interest of the residents of the City of O'Fallon, St. Clair County, Illinois.

5. The Business District qualifies as a blighted area because the District represents a portion of the City, which by reason of the lack of streets constitutes an economic liability and an economic underutilization of the area.
6. The Business District on the whole has not been subject to growth and development through investment by private enterprises and would not reasonably be anticipated to be developed or redeveloped without the adoption of this Business District Plan. The Developer has stated that the projects will not take place absent the establishment of the Business District and using Business District sales tax revenue to reimburse the Developer for certain Business District project costs.
7. The Business District Plan conforms to the City of O'Fallon's 2006 Comprehensive Plan, which proposes "Regional Commercial" use for the land located within the District.

PLAN AMENDMENTS

The procedure for amending this Plan shall also be in conformance with the provisions of the Business District Law.

APPENDIX

BOUNDARY DESCRIPTION**ROUTE 50/SCOTT-TROY ROAD BUSINESS DISTRICT**

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 28 AND PART OF THE NORTHEAST QUARTER OF SECTION 33 ALL IN TOWNSHIP 2 NORTH, RANGE 7 WEST OF THE THIRD PRINCIPAL MERIDIAN AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "A" ON PAGE 263 IN THE RECORDER OF DEED'S OFFICE OF ST. CLAIR COUNTY, ILLINOIS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD ON THE EASTERLY LINE OF "LAKEPOINTE CENTRE PROFESSIONAL PARK" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "95" ON PAGE 18 IN SAID RECORDER OF DEED'S OFFICE, FROM WHICH A CONCRETE R/W MONUMENT MARKING THE SOUTHEAST CORNER OF SAID "LAKEPOINTE CENTRE PROFESSIONAL PARK", BEARS SOUTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, 107.52 FEET; THENCE, NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST ON SAID EASTERLY LINE AND ITS EXTENSION, 1449.55 FEET TO A CONCRETE MONUMENT WHICH MARKS THE NORTHEAST CORNER OF "THE VILLAS AT LAKEPOINTE" AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK "97" ON PAGE 9 IN SAID RECORDER OF DEED'S OFFICE, SAID CONCRETE MONUMENT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO VICTORY FREE WILL BAPTIST CHURCH BY DOCUMENT NUMBER A02143243 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON THE SOUTHEASTERLY LINE OF SAID VICTORY FREE WILL BAPTIST CHURCH TRACT OF LAND, 248.61 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE, CONTINUING NORTH 71 DEGREES 49 MINUTES 19 SECONDS EAST ON SAID SOUTHEASTERLY LINE, 418.69 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WESTMORE DEVELOPMENT IN DEED BOOK 3083 ON PAGE 1042 IN SAID RECORDER OF DEED'S OFFICE; THENCE, NORTH 71 DEGREES 54 MINUTES 27 SECONDS EAST, 441.64 FEET; THENCE, SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 599.83 FEET TO THE WEST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, CONTINUING SOUTH 89 DEGREES 31 MINUTES 17 SECONDS EAST, 120.00 FEET TO THE EAST R.O.W. LINE OF SCOTT-TROY ROAD; THENCE, SOUTHERLY FOLLOWING THE EAST R.O.W. LINE OF SCOTT-TROY ROAD TO WHERE IT INTERSECTS THE NORTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHERLY CROSSING U.S. ROUTE 50, 123.27 FEET TO THE SOUTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY CROSSING SCOTT-TROY ROAD, 524.90 FEET TO THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 50; THENCE, CONTINUING SOUTHWESTLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, 741.69 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, NORTHERLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, 37.39 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF U.S. ROUTE 50; THENCE, SOUTHWESTERLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, ALONG A CURVE, TO THE EAST R.O.W. LINE OF ARBOR PARKWAY; THENCE, CONTINUING SOUTHWESTERLY ALONG THE SOUTH R.O.W. LINE OF U.S. ROUTE 50, CROSSING ARBOR PARKWAY, TO THE WEST R.O.W. LINE OF ARBOR PARKWAY; THENCE, NORTHERLY CROSSING U.S. ROUTE 50 TO A POINT ON THE NORTH R.O.W. LINE OF U.S. ROUTE 50, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A 0.67 ACRE TRACT CONVEYED TO THE

STATE OF ILLINOIS IN DEED BOOK 2680 ON PAGE 1156 IN SAID RECORDER OF DEED'S OFFICE; THENCE, CONTINUING NORTHERLY ALONG THE WEST LINE OF 0.67 ACRE TRACT, 110 FEET; THENCE, NORTH 00 DEGREES 38 MINUTES 08 SECONDS EAST, 666.02 FEET; THENCE, SOUTH 85 DEGREES 33 MINUTES 41 SECONDS EAST, 230.00 FEET; THENCE, NORTH 33 DEGREES 19 MINUTES 27 SECONDS WEST, 425.00 FEET; THENCE, NORTH 00 DEGREES 20 MINUTES 45 SECONDS WEST, 476.32 FEET TO THE POINT OF BEGINNING.



MEMORANDUM

TO: Community Development Committee

FROM: Justin Randall, Senior City Planner

THROUGH: Ted Shekell, Director of Community Development

DATE: March 23, 2015

SUBJECT: S15-02 & P2015-02: Reserves of Timber Ridge Subdivision, Preliminary Plat & Annexation

1. Resolution authorizing the Mayor to sign an annexation agreement with MRK Land Trust Michael R. Kombrink, Trustee
2. Resolution authorizing the Mayor to sign an annexation agreement with Huntington Chase Homes, Corp.
3. Resolution Approving a Preliminary Plat for the Reserves of Timber Ridge
4. Ordinance Annexing the Reserves of Timber Ridge subdivision and Path of Annexation
5. Ordinance Zoning the Reserves of Timber Ridge subdivision

Recommendation

The Planning Commission held a public hearing on the above referenced application at their March 10, 2015 meeting. The Commission voted 5-ayes and 1-nay to approve the requested Preliminary Plat application for the Reserves of Timber Ridge, subject to the conditions recommended by staff.

Project Background and Summary

The applicant, Reserves of Timber Ridge, LLC, is proposing to subdivide 102.65 acres of land currently zoned A and RR-3 in St. Clair County. The property is located approximately 0.4-mile north of the Simmons Road and Kyle Road intersection. The applicant is proposing to divide the land into 157 single-family lots. Lot sizes range from 11,250 square feet to 334,000 square feet (7.66 acres) in size. A total of 6.56 acres of open space, designated within four outlots, consisting of area near the entrance and detention and riparian areas. Additionally, there is a large lake in the southern portion of the subdivision.

The subdivision will contain a collector street which will ultimately connect Simmons Road to the east and Pausch Road to the west. The collector street which is the access to Simmons has 60-foot right-of-way with 37 feet of pavement back of curb to back of curb. All other streets within the subdivision consist of 54-foot right-of-way with 30 feet of pavement back of curb to back of curb. Sidewalks have been incorporated into the preliminary plat on both sides of the street.

The developer will be tying onto the City of O'Fallon water system, but has the ability to have sanitary sewer provided by either the City of O'Fallon or Caseyville Township. The developer is weighing the options and costs for each system, but the development has the potential to open up approximately 700 acres of potential residential development ground with either option. Electric and gas services are available to the site and owned by Ameren IP. Telephone and internet service is available through AT&T and cable and internet is available through Charter.

Please see the attached Plan Commission Project Report for more detailed information on the proposal.

Community Development Department

255 South Lincoln Avenue O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F:618.624.4534

Annexation

The Reserves of Timber Ridge is seeking annexation into the City. The total annexation will include 111.57 acres. The annexation will include the Reserves of Timber Ridge with approximately 102.37 acres and will include an annexation agreement with Huntington Chase Homes, Corp. The annexation agreement is not attached to the packet, however will include the City's standard annexation agreement language, which includes:

- Annexation Fees of \$2,250 per lot;
- Park Fees of \$865 per lot;
- City will provide water service; and
- The sanitary sewer service is still unresolved in whether the City of O'Fallon or Caseyville Township will provide service.

Additionally, there is a Path of Annexation, with approximately 9.2 acres, which will be zoned Agriculture in the City of O'Fallon and include an annexation agreement with MRK Land Trust. The annexation agreement with MRK Land Trust is not attached to the packet, however will include the City's standard annexation agreement language for 300 foot strip path of annexation.

Staff will provide both draft agreements with MRK Land Trust and Hunting Chase Homes, Corp. at the March 23, 2015 Community Development Committee.

Staff Recommendation

Staff recommends approval of the project with the following conditions:

1. Concurrent annexation and rezoning of land from St. Clair County Agriculture, A and Rural Residential RR3 to Single-Family, SR-1B in the City of O'Fallon; and.
2. A variance to allow Street 9 to increase the maximum length of a dead end street from 800 feet to 1,532 feet; and
3. A variance to remove the requirement of a berm along Simmons Road; and
4. The park dedication requirement is 2.66 acres with the requirement being fulfilled through a fee in lieu of land in the amount of \$135,864; and
5. Prior to final approval of the construction plans, the developer/engineer will need to ensure the entrance is designed to achieve adequate visibility and sight distances at the intersection with Simmons Road.

Attachments:

1. Report to Plan Commission
2. Resolution authorizing the Mayor to sign an annexation agreement with MRK Land Trust, Michael R. Kombrink
3. Resolution authorizing the Mayor to sign an annexation agreement with Huntington Chase Homes, Corp. Resolution Approving a Preliminary Plat for the Reserves of Timber Ridge
4. Ordinance Annexing the Reserves of Timber Ridge subdivision and Path of Annexation
 - a. Exhibit A: Plat of Property to be Annexed
 - b. Exhibit B: Legal Description of Property to Be Annexed
5. Ordinance Zoning the Reserves of Timber Ridge subdivision



PROJECT REPORT

TO: Planning Commission
FROM: Justin Randall, Senior City Planner
THRU: Ted Shekell, Community Development Director
DATE: March 10, 2015
SUBJECT: S15-02 & P2015-02: Reserves of Timber Ridge - Preliminary Plat & SR-1B Zoning Amendment

Applicant: Denny Blumberg
Reserves of Timber Ridge, LLC
1306 Arbor Green Trail
O'Fallon, IL 62269

Owner: Tamarack Woods, LLC
613 West Highway 50
O'Fallon, IL 62269

Submitted: February 2, 2015

Project Summary

- Property located between Simmons Road and Pausch Road, north of Kyle Road
- Annexation of 102.65 +/- acres
- Preliminary Plat of 157 single-family residential lots
- Zoned A - Agriculture and RR3 - Rural Residential in the County
- To be zoned SR-1B in the City upon annexation
- Lot sizes ranging from 11,250 square feet to over 334,000 square feet, with an average lot size of 24,915 square feet
- The gross density is 1.88 lots per acre
- Single access point from Simmons Road, with the potential for a future connection to Pausch Road
- The developer will be tying onto the City of O'Fallon water system, however sanitary sewer services can be provided by Caseyville Township or the City of O'Fallon. The subdivision has the potential to open approximately 700 acres for future residential development.

Background & Executive Summary

The applicant, Reserves of Timber Ridge, LLC, is proposing to subdivide 102.65 acres of land currently zoned A and RR-3 in St. Clair County. The property is located approximately 0.4-mile north of the Simmons Road and Kyle Road intersection. The applicant is proposing to divide the land into 157 single-family lots. Lot sizes range from 11,250 square feet to 334,000 square feet (7.66 acres) in size. A total of 6.56 acres of open space, designated within four outlots, consisting of area near the entrance and detention and riparian areas. Additionally, there is a large lake in the southern portion of the subdivision.

Community Development Department

255 South Lincoln Avenue O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F: 618.624.4534

The subdivision will contain a collector street which will ultimately connect Simmons Road to the east and Pausch Road to the west. The collector street which is the access to Simmons has 60-foot right-of-way with 37 feet of pavement back of curb to back of curb. All other streets within the subdivision consist of 54-foot right-of-way with 30 feet of pavement back of curb to back of curb. Sidewalks have been incorporated into the preliminary plat on both sides of the street.

The developer will be tying onto the City of O'Fallon water system, but has the ability to have sanitary sewer provided by either the City of O'Fallon or Caseyville Township. The developer is weighing the options and costs for each system, but the development has the potential to open up approximately 700 acres of potential residential development ground with either option. Electric and gas services are available to the site and owned by Ameren IP. Telephone and internet service is available through AT&T and cable and internet is available through Charter.

Existing Conditions

Surrounding Zoning:

North: Unincorporated A
East: Unincorporated RR-3
South: Unincorporated A
West: Unincorporated A

Surrounding Land Use:

North: Rural residential and agricultural land uses
East: Rural residential uses along Simmons Road
South: Rural residential and agricultural land uses
West: Rural residential and agricultural land uses

The majority of the site is currently used for agriculture purposes. The developer also purchased a residential lot along Simmons Road to provide access to the larger agricultural ground to the west. The site is generally flat, but includes a steeper drainage area with substantial tree cover along the north and northeast corner of the property. The southeast corner of the development also has areas of steep slopes, where tributary of Ogles Creek is located. The Ogles Creek drainage area does have floodplain and has been identified as riparian area. There are no known environmental hazards on the site.

Applicable Ordinances, Documents and Reports

O'Fallon Comprehensive Plan:

The O'Fallon Comprehensive Plan Future Land Use Map depicts the subject property as Single Family Residential. In Table 3.1 of the Comprehensive Plan which identifies Future Land Uses, the Single Family Residential category indicates no more than 3 dwelling units per acre and the associated zoning district include SR-1 and SR-1B. The proposed residential development is consistent with the Comprehensive Plan.

Code of Ordinances:

The proposed subdivision is Chapter 154 (Subdivision) Chapter 155 (Development Manual) and Chapter 158 (Zoning) of the Code of Ordinance and must meet the Area-Bulk requirements for lot dimensions. The property is also subject to the SR-3, Single Family Residence Dwelling District requirements.

Public Notice:

Public Notice of this project has been fulfilled in accordance with Section 158.255 and 158.256 of the City of O'Fallon Zoning Regulations. More specifically, the applicant has notified property owners within 250 feet of the subject property via certified mail of the filing of the zoning amendment. Additionally, the City has notified property owners within 250 feet of the subject parcel of the public hearing at least 15 days prior to the hearing and published notice of the public hearing in a local newspaper at least 15 days in advance. Proof of notification is on file with the City's Community Development Department.

Rezoning Discussion Points

General Discussion:

There are two tracts of land requested to be annexed into the City. There is the large portion of land comprised of the 157 lot Reserves of Timber Ridge subdivision. This 102.65 acre tract of land has been requested to be annexed into the City of O'Fallon with a SR-1B - Single Family Residence Dwelling District designation. However the portion of

land making up the proposed subdivision is not contiguous with the city limits of O'Fallon. The developer of the subdivision has secured a tract of land 300 feet in width from the city's water tower on Pausch Road north approximately 1,300 feet to the subject property. The annexation strip of ground has been requested to be annexed into the City of O'Fallon with an A - Agricultural District designation.

SR-1B Zoning District:

The SR-1 and SR-1B districts allow for the same categories of land uses. The only difference between the two zone districts relate to the size of the side yard setback (SR-1 district requires a 10-foot side yard setback and the SR-1B district requires a 7.5-foot side yard setback). All other area and bulk regulations of the districts are identical.

Several SR-1B zoned subdivisions exist in this area of O'Fallon including, Bluffs at Ogles Creek, Springfield at Lincoln Farms, Clary's Grove, Parcs at Arbor Green and Windsor Creek.

Side Yard Setbacks:

The subdivision ordinance requires a minimum of 10 feet for side yard easements for utility and drainage purposes, however, the SR-1B zoning district allows for a minimum of 7.5 feet for a side yard setback, thereby potentially leading to a conflict between the two. If a conflict exists between the easement and setback, the easement will prevail – no permanent building or structure will be permitted within a 10-foot side yard easement.

Preliminary Plat Discussion Points/Issues

General Discussion:

The Reserves of Timber Ridge subdivision consists of 102.65 acres with 157 single family lots in a SR-1B zoning district. The project is proposed to develop in five phases with the initial phase located nearest the entrance and consisting of 32 lots. The subdivision will have a 4-acre lake in the southern portion of the subdivision, with lots extending into the lake, which will be developed in Phase 1 of the subdivision. The lot sizes range from 11,250 square feet to 334,000 square feet (7.66 acres) in size, all which meet the area/bulk requirements of the SR-1B district. A total of 6.56 acres of open space, designated within four outlots, consisting of area near the entrance and detention and riparian areas. All of the outlots will be maintained by the homeowners association.

Access and Circulation:

The current proposal will initially have only one access point for the subdivision on Simmons Road from the east. However, there will be proposed residential collector street running east and west through the subdivision with the eventual intent to connect to Pausch Road on the west. The connection to Pausch Road is a vital east-west connection in this part of O'Fallon, which would provide a secondary outlet and quick access to the OTHS - Milburn Campus for the future and existing residents. Staff has recommended the developer obtain an agreement with the adjacent property owner (Kombrink) to providing future roadway access to Pausch Road, as well as a utility easement to provide for future improvements, all prior to the final phase of the development being completed. The developer has indicated they have approached the owner of the property, but has not been able to secure such agreement at this time.

The street layout includes a collector street with local streets reaching to the north and south. Street 1 (entrance) and Street 6 (collector) are proposed at 37 feet wide within a 60-foot wide right-of-way. There are ten cul-de-sacs throughout the subdivision, following the rolling topography of the site. The remaining streets in the subdivision are proposed to consist of 54-foot right-of-way with 30 feet of pavement back of curb to back of curb. One of the cul-de-sacs (Street 9) exceeds the 800-foot block length provisions of the codes. The engineer is requesting a variance to allow the 1,532-foot dead end street, citing "If street 9 were to be connected to the adjoining street to the south, a major drainage way within development. Blocking a natural drainage way could lead to potential flooding concerns upstream." The proposal includes three stubs to adjacent property, one to the west near Pausch Road and two stubs into the property to the south.

The engineer has provided additional information on the entrance to the subdivision. Based on the calculations provided by the engineer, the existing traffic on Simmons Road plus the increased traffic from the subdivision would

not warrant any turn lane improvements to Simmons Road. According to the developer's engineer the sight distances at entrance to Simmons Road are "border line". Prior to final approval of the construction plans, the developer/engineer will need to ensure the entrance is designed to achieve adequate visibility and sight distances at the intersection with Simmons Road. Additionally, the entrance will slope up from Simmons Road. The engineer has noted the grades of the entrance will not exceed 8%, the maximum slope of a street within the city. A "No Outlet" sign is required on Street 1 at its intersection with Simmons Road to inform drivers entering the subdivision there is no through access in the subdivision, until such time a connection is made to Pausch Road.

Drainage and Detention:

The site topography shows multiple sub-basins areas for the property. Generally, the northern portion of the development will drain to the east through a wooded area into a tributary of Ogles Creek. The southern portion of the development will drain to the southeast into a proposed lake created by a dam designed in accordance with the Illinois DNR regulations. The lake will drain into a tributary of Ogles Creek. The developer's engineer is showing an Outlot D behind Lots 29-34, 49, 54 and 55, which will contain a stormwater detention area to collect stormwater before draining into a tributary of Ogles Creek. Actual detention pond sizes, grading, pipe sizes, and inlets will be engineered for the final plat phase. All drainage plans must be reviewed and approved by Public Works Department.

Lake Lots:

The subdivision will have a large lake in the southern portion of the subdivision. The lake consists of 16 lots of the subdivision. The draft covenants and restrictions indicate the lake lots will be a part of a Lake Lot Association as well as the Subdivision Association. The developer has reduced the potential for conflict over maintenance of the lake by placing the entire lake and dam in a 15-foot easement to maintain the lake.

Utilities:

The developer will be tying onto the City of O'Fallon water system with an extension of a water main from the intersection of Simmons Road and Kyle Road and a future connection north along Pausch Road, serviced from the Pausch Road Water Tower. The developer has the ability to have sanitary sewer provided by either the City of O'Fallon or Caseyville Township. The developer is weighing the options and costs for each system, but the development has the potential to open up approximately 700 acres of potential residential development ground with either option. Electric and gas services are available to the site and owned by Ameren IP. Telephone and internet service is available through AT&T and cable and internet is available through Charter.

Flood potential:

There is a portion of the site in the southeast corner where Ogles Creek has a 100-year floodplain designation. The floodplain is in the vicinity of the dam for the proposed lake, which will require IEPA and FEMA approvals, which will be forthcoming. The developer has placed the majority of the floodplain in an outlot to minimize the risk of a home flooding. Minimum finished floor elevation must be shown for all lots on the final plat, along with which lots are to be designated for walkouts, basements, or crawl-spaces to ensure that no structure will be adversely affected by any stormwater drainage and the 100-year floodplain.

Street Trees, Landscape Berms, and Buffers:

The developer will install street trees in the 7' wide lawn between the curb and sidewalk every 50' along the streets in the Reserves of Timber Ridge. The applicant is also showing the required outlots along Simmons Road for the vegetative buffer between the subdivision and Simmons Road within Outlots A and B. In this particular instance a berm does not make sense because of the steep slopes up from the entrance on Simmons Road. The elevations at the first residential lot lines are 30 feet higher than at the entrance to Simmons Road.

Open Space:

As detailed in Article 4 of Chapter 155 (Subdivisions), park lands are required to be constructed, or a fee in-lieu-of paid, whenever new residential subdivisions are constructed. Based on the average density of 2.83 persons per detached Single Family unit, the subdivision's 157 lots requires a total of 2.66 acres of Park Lands dedication. This is based on the 6 acres of park space per 1000 people. The subdivision's population estimate is 444 (157 x 2.83).

The 2005 Bicycle Facilities Plan identified the potential for an Ogles Creek Trail, running from 6.5 miles from Milburn School Road to Old Lebanon-Troy Road to the northeast. This trail was identified to provide alternative transportation, recreation and fitness opportunity in an area where significant residential growth is anticipated. Additionally, the site is near the future connection to the Metro East Parks and Recreation District, which would provide additional access to miles of trails in the area. As a part of the development of the Bluffs of Ogles Creek, the city accepted a large corridor along Ogles Creek. The proposed subdivision has a corner of the property which would be another piece in a potential Ogles Creek Trail. The Parks and Recreation Department has reviewed the property and found the grades very difficult and the majority of the outlot is located in the floodway. The Parks and Recreation Department would not recommend accepting it as park land, staff recommends accepting a park fee in lieu of the required dedicated park space. A fee of \$135,864 will be necessary for the balance of 2.66 acres of park space if so required, equaling \$865 per house permit. Staff would also recommend an easement (which has been shown on the plat) for the use of the outlot for the potential Ogles Creek Trail.

Criteria for considering General Rezoning applications:

In considering any application for rezoning, the Commission and the Governing Body may give consideration to the criteria stated below to the extent they are pertinent to the particular application. The Commission and Governing Body also may consider other factors that may be relevant to a particular application. The rezoning of the Reserves of Timber Ridge property appears to meet each of the following zoning criteria:

- a) the existing uses and zoning of nearby property;
- b) the extent to which property values are diminished by the particular zoning restrictions;
- c) the extent to which the destruction of property values of plaintiff promote the health, safety, morals or welfare of the public;
- d) the relative gain to the public as compared to the hardship imposed upon the individual property owner;
- e) the suitability of the subject property for the zoned purposes;
- f) the length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the subject property;
- g) the care that the community has taken to plan its land use development, and
- h) the community need for the proposed use.

Conclusion and Recommendation

Staff recommends approval of the Preliminary Plat and the Rezoning to SR-1B with the following conditions:

1. A variance to allow Street 9 to increase the maximum length of a dead end street from 800 feet to 1,532.
2. A variance to remove the requirement of a landscaped berm along Simmons Road.
3. The park dedication requirement is 2.66 acres with the requirement being fulfilled through a fee in lieu of land in the amount of \$135,864, \$865.00 per house permit.
4. Prior to final approval of the construction plans, the developer/engineer will need to ensure the entrance is designed to achieve adequate visibility and sight distances at the intersection with Simmons Road.

Attachments

1. Project Application & Narrative
2. Preliminary Traffic Analysis
3. Zoning Map
4. Surrounding Land Use Map
5. Preliminary Plat

FEB 11 2015

DATE PAID



BUILDING DEPARTMENT ORIGINAL

Planned Use / Re-Zoning Application

NAME OF PROJECT: Reserves of Timber Ridge

ADDRESS/GENERAL LOCATION: Simmons Road

SUBDIVISION NAME & LOT NUMBER(S): New Development

PARCEL NUMBER(S): 64-18.0-100-045 Part of 03-13.0-200-003

PLEASE CHECK THE TYPE OF APPLICATION (PLEASE CHECK ONE):

- PLANNED USE
RE-ZONING (STANDARD MAP AMENDMENT)

Handwritten note: and Rural Residential (3/5/15 JRM)

SUMMARY DATA (RESPOND TO ALL THAT APPLY):

PRESENT ZONING: County Agriculture

PROPOSED NUMBER OF BUILDINGS:

PROPOSED ZONING: SR1B

PROPOSED GROSS FLOOR AREA:

PROPOSED # OF LOTS: 157

AREA IN ACRES: 103+ acres

PROPOSED # OF DWELLING UNITS: 157

PRESENT USE: Agriculture

APPLICANT INFORMATION:

DESIGN PROFESSIONAL INFORMATION:

NAME: Reserves of Timber

NAME: Marsha J. Maller PE

COMPANY: Ridge LLC

COMPANY: TWM Inc

ADDRESS: 1306 Arbor Green Trail O'Fallon IL 62269

ADDRESS: 4940 Old Collinsville Swansea IL 62226

PHONE: 624-3250

PHONE: 624-4488

FAX: 624-1910

FAX: 624-6688

EMAIL: Denny@huntingforchasehomes.com

EMAIL: mmaller@twm-inc.com

SIGNATURE OF APPLICANT

SIGNATURE OF DESIGN PROFESSIONAL

RECEIVED FEB 12 2015
STAFF USE ONLY
DATE RECEIVED:
APPLICATION RECEIVED BY: V. Evans
APPLICATION FEE: \$200.00
PROJECT ID#: P2015-02
STAFF ASSIGNED: J. Randall
PLAN REVIEW FEE DEPOSIT REC'D: N/A - not (P) use

S15-02

CITY OF O'FALLON
FEB 11 2015
DATE PAID

CITY OF O'FALLON, ILLINOIS
APPLICATION FOR APPROVAL OF PRELIMINARY SUBDIVISION PLAT

(To be submitted with Filing Fee (\$150.00 plus \$10.00 per lot) payable to "City of O'Fallon" and a separate check for Engineering Plan Review Fee payable to "Rhutasel and Associates, Inc.")

Date: 2-2-15

Name of Subdivision: Reserves of Timber Ridge

Name, Address, and Phone Number of Subdivider: 1306 Arbor Green Trail

Reserves of Timber Ridge LLC O'Fallon IL 62269

Name, Address, and Phone Number of Engineer: Thouvenot Wade & Moerchen Inc

4940 old collinsville IL 62226

Section: 13 Township: 2N Range: 8W

Area of Tract: ~100 acres Number of Proposed Lots: 159 Zoning: SR1-B

Property interest of applicant: () Owner (X) Contract Purchaser () Other _____

APPLICANT'S CHECKLIST

REQUIREMENTS FOR SUBMITTAL

PAYMENT OF FILING FEE *Please let Denny know the amount.*

(YES or NO)
1,750 *3323

PAYMENT OF ENGINEERING PLAN REVIEW FEE

3790.00

6 PRINTS OF SUBDIVISION PLAT & ONE (1) 11" x 17" COPY

yes

VARIANCES - (IF APPLICABLE) REQUESTS ATTACHED

yes in nan.

NARRATIVE LETTER PROVIDING AN OVERVIEW OF PROJECT

yes

COMPLETION OF PRELIMINARY PLAT CHECKLIST

yes

COMPLETION OF PAYMENT RESPONSIBILITY FORM

yes

PRIVATE SUBDIVISION REGULATIONS ATTACHED (IF APPLICABLE)

Similar to Parcels

PHASE I DRAINAGE REPORT

-

.PDF COPY OF PLAT

-

SUBMITTAL IN CAD / GIS FORMAT (ON CD)

to be submitted once layout is approved

PROOF OF DEVELOPER'S OWNERSHIP INTEREST *contract to purchase*

-

***SUBMISSION PACKETS MUST BE COMPLETED IN FULL OR THEY WILL NOT BE RECEIVED BY THE CITY.**

I HEREBY affirm that I am authorized by the Developer to complete this **Application for Preliminary Plat** and that this request is in compliance with Chapter 154: Subdivisions stated in the Code of Ordinances of the City of O'Fallon, as indicated.


Applicant's Signature

**RESERVES OF TIMBER RIDGE
PRELIMINARY PLAT NARRATIVE,
VARIANCE REQUEST, AND
PHASE 1 DRAINAGE REPORT**

The proposed Reserves of Timber Ridge Subdivision consists of 102.65 acres of agricultural land and woods just west of Simmons Road in unincorporated St. Clair County, Illinois. Access to the site is from Simmons Road. There will be an annexation agreement prepared and executed with the City of O'Fallon requesting that the property be zoned SR-1B.

The enclosed preliminary plat shows the development of 157 lots ranging in size from 11,250 square feet to over 334,000 square feet with an average lot size of 24,915 square feet. The proposed development will be constructed in multiple phases with the first phase of construction including 32 single family residential lots.

The proposed homes will be very similar in design and styles as the existing homes in the Parcs at Arbor Green. Homes will be a minimum of 1,800 square feet for a ranch and 2,300 square feet for a story and a half or two story models.

The existing topography is shown on the preliminary plat submitted for review and approval by the City of O'Fallon. The site topography shows that Ogles Creek flows from south to north along the south easterly corner of the site. The St. Clair Soil Maps indicate the project site is mostly Fayette silt loam and silty clay loam with some Sylvan Bold silt loam. The site has rolling hills and valleys with drainage ways to Ogles Creek. The heavily wooded areas have very steep slopes ranging from 18 to 30 percent. These wooded areas have been preserved with this layout. The rolling topography allows for many walk out lots throughout the subdivision. The proposed site design will incorporate a 4+ acre lake for storm water detention. Storm water detention will also be provided in some drainage ways as required by the storm water calculations.

The street layout includes a collector street running west from Simmons Road with local streets reaching to the north and south. The site incorporates ten cul-de-sacs and three stub streets to potential future development. The street layout follows the rolling topography. Street 9 requires a variance for the maximum length of a dead end street. This request is being sought due to the terrain of the site. If street 9 were to be connected to the adjoining street to the south a major drainage way within the project site would be blocked. Blocking a natural drainage way could lead to potential flooding concerns upstream of the street and is not recommended. For this reason the developer is requesting a variance for the cul-de-sac length.

The proposed access to Simmons Road is a 60' wide right-of-way with 37' from back of curb to back of curb. The location will be designed to achieve adequate visibility at the intersection with Simmons Road. According to the Illinois Department of Transportation the current daily traffic on Simmons Road is only 1,300 cars per day. The proposed development will add traffic; however, the projected traffic does not warrant any turn lane improvements to Simmons Road.

To meet the park space requirement the project site incorporates an outlet along Ogles Creek for a future bike trail extension. The proposed park space has 50 feet of access to street 1 and traverses along the bank of Ogles Creek for a potential connection to the park land at the Bluffs at Ogles Creek subdivision. The proposed park space is 4.35 acres. The proposed 157 lot subdivision equates to a population density of 444 persons. The requirement is 6 acres per 1000 persons. For this development the park space required is 2.66 acres. The proposed park space exceeds this requirement.

Sanitary sewer service for these lots may be achieved thru Caseyville Township Sewer District or the City of O'Fallon. The developer has either a gravity sewer option or a lift station option to Caseyville Township Sewer District. For Caseyville Township the sewer would be tributary to an existing lift station located at the Bluffs at Ogles Creek subdivision. The developer also has a lift station option to the City of O'Fallon. For the City of O'Fallon the sewer would be tributary to the city's sanitary sewer system along Simmons Road at either Kyle Road or Milburn School Road. For either the township or the city this project site opens up approximately 693 acres of potential residential development.

This development also has two options for water service, Caseyville and the City of O'Fallon. Caseyville has water along Simmons Road that can be utilized to serve the Reserves of Timber Ridge. The City of O'Fallon plans to construct a water main along Simmons Road from Kyle Road to the project site. This water main will provide water to the site. The development will have 6" – 12" water main throughout the site as required for water service.

Both electric and gas are available at the site and owned by Ameren IP. Telephone and internet service is available through AT&T and cable and internet is available through Charter Communications.

The subdivision will be designed in accordance with the City of O'Fallon requirements.

The developer, Reserves of Timber Ridge LLC, is requesting Planning Commission and City Council approval of the submitted preliminary plat.



www.twm-inc.com

TWM Preliminary Traffic Analysis
 Between Simmons Road & Pausch Road
 City of O'Fallon
 St. Clair County
 TWM Project #Q01-140588

RECEIVED MAR 02 2015

Existing Traffic

Current geometric configuration of the two mainline roadways the concept subdivision is proposed to tie into is as follows:
 Simmons Road: Two Lane, Two way traffic. Each with about 10' lanes
 Pausch Road: Two way traffic sharing 16' lane

The Average Daily Traffic (ADT) listed on the IDOT website near the proposed subdivision entrances per the concept provided are as follows:

Simmons Road: 1,300 ADT (2013)
 Pausch Road: 175 ADT (2013)

For this preliminary review we will estimate a background growth of 1% will be added to the IDOT ADT numbers to bring them to 2015 ADT, 10% of the ADT will occur during a peak hour and approximately 60% will be traveling in the direction of the turn lane analyzed. This number will be considered our Directional Design Hourly Volume.
 (Note: Peak hours typically occur Monday – Friday between 7a-9a and 4p-6p.)

The Directional Design Hourly Volume (DDHV)

Simmons Road: 80 DDHV (2015) ; 97 DDHV (2035)
 Pausch Road: 11 DDHV (2015) ; 13 DDHV (2035)

Projected Trips Generated from Proposed Development

There is an estimate 157 Single Family Residential Lots per the concept plan. The Ninth Edition of the Trip Generation Manual, published by the Institute of Traffic Engineers was used to estimate the number of vehicle trips which may be reasonably expected to be generated by the proposed development.

Trip Generation Rates						
<i>ITE Code</i>	<i>Land Use</i>	<i>Unit</i>	<i>Trip Generation Rate</i>			
			<i>AM Peak Hour</i>		<i>PM Peak Hour</i>	
			<i>Equation or Rate/Unit</i>	<i>% Entering/ % Exiting</i>	<i>Equation or Rate/Unit</i>	<i>% Entering/ % Exiting</i>
210	Single-family Detached Residential	Dwelling Units	$T = 0.70(X) + 9.74$	25/75	$Ln(T) = 0.90 Ln(X) + 0.51$	63/37

Forecasted Traffic									
<i>ITE Code</i>	<i>Land Use</i>	<i>Size</i>	<i>Unit</i>	<i>Forecasted Trips</i>					
				<i>AM Peak Hour</i>			<i>PM Peak Hour</i>		
				<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>
210	Single-family Detached Residential	157	Dwelling Units	30	90	120	99	58	157

Warrant Analysis

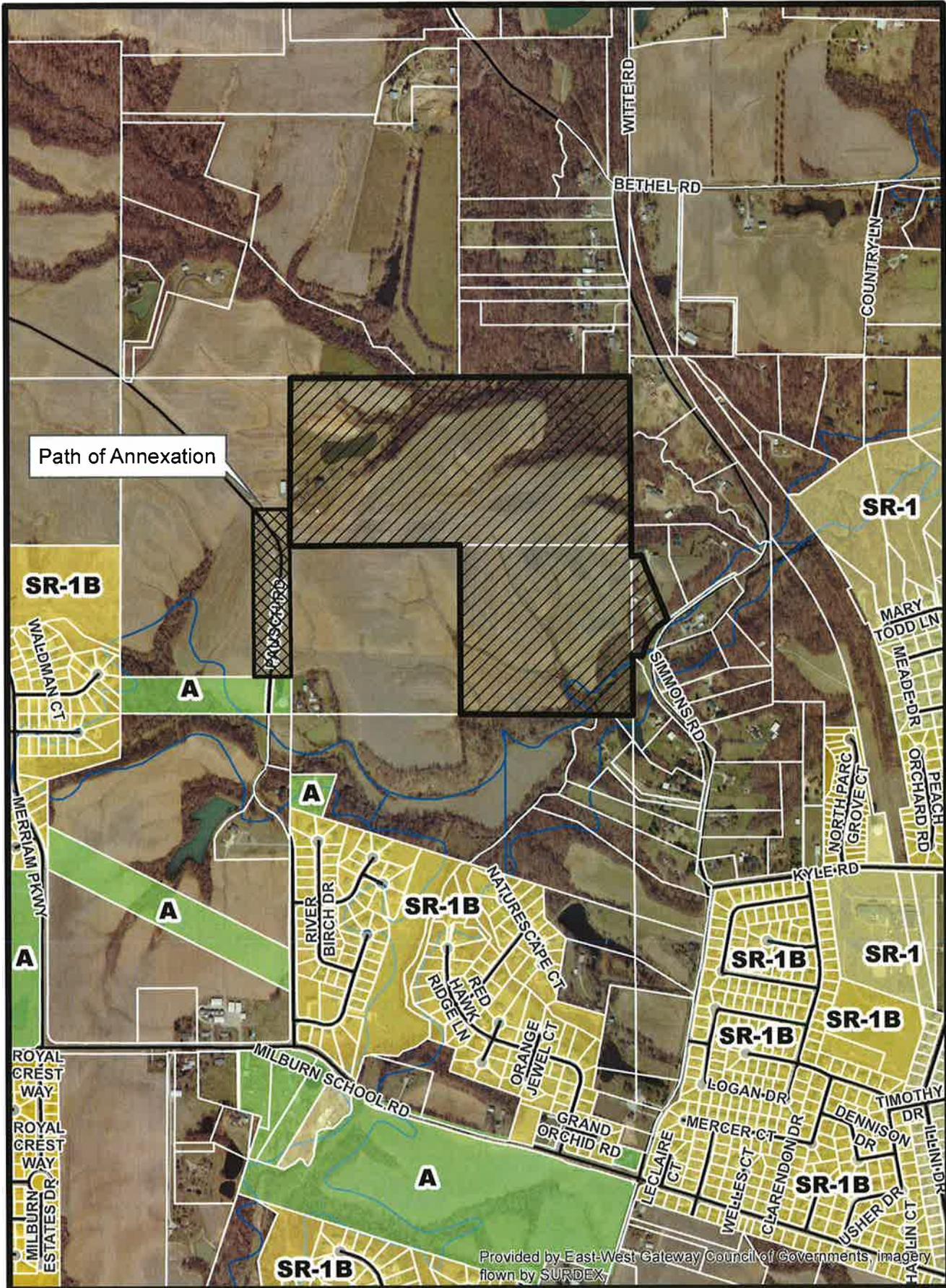
A brief cursory review of the traffic as indicated above was investigated against the warrant guidelines contained in the *Manual on Uniform Traffic Control Devices, 2009 Edition (MUTCD)* and the *Bureau of Design and Environment Manual (BDE)*. The results indicate that in 20 years, no warrants are met for the proposed entrances along Simmons Road and Pausch Road. These results could be altered should any additional development be anticipated in the area in the near future or any roadway connections be revised or added. Do note, special consideration should be made as to the lane widths of the existing roadways.

The area was also reviewed as if the entrance located at Pausch Road was not constructed. The results indicate that in 20 years, no warrants are met for the proposed entrance along Simmons Road.

Sight Distance

A brief cursory review of the sight distance was investigated against the guidelines contained in the *Bureau of Local Roads and Streets (BLRS)* and a site visit. While on a site visit, the approximate locations of sight were determined from the entrance near the anticipated location of the proposed entrance. This distance was verified against the BLRS. Using a design speed of 35 mph, the intersection sight distance is on the border line. The trees will need to remain cut and no structures be constructed within the line of sight.

S15-02 & P2015-02: Reserves of Timber Ridge - Land Use Map



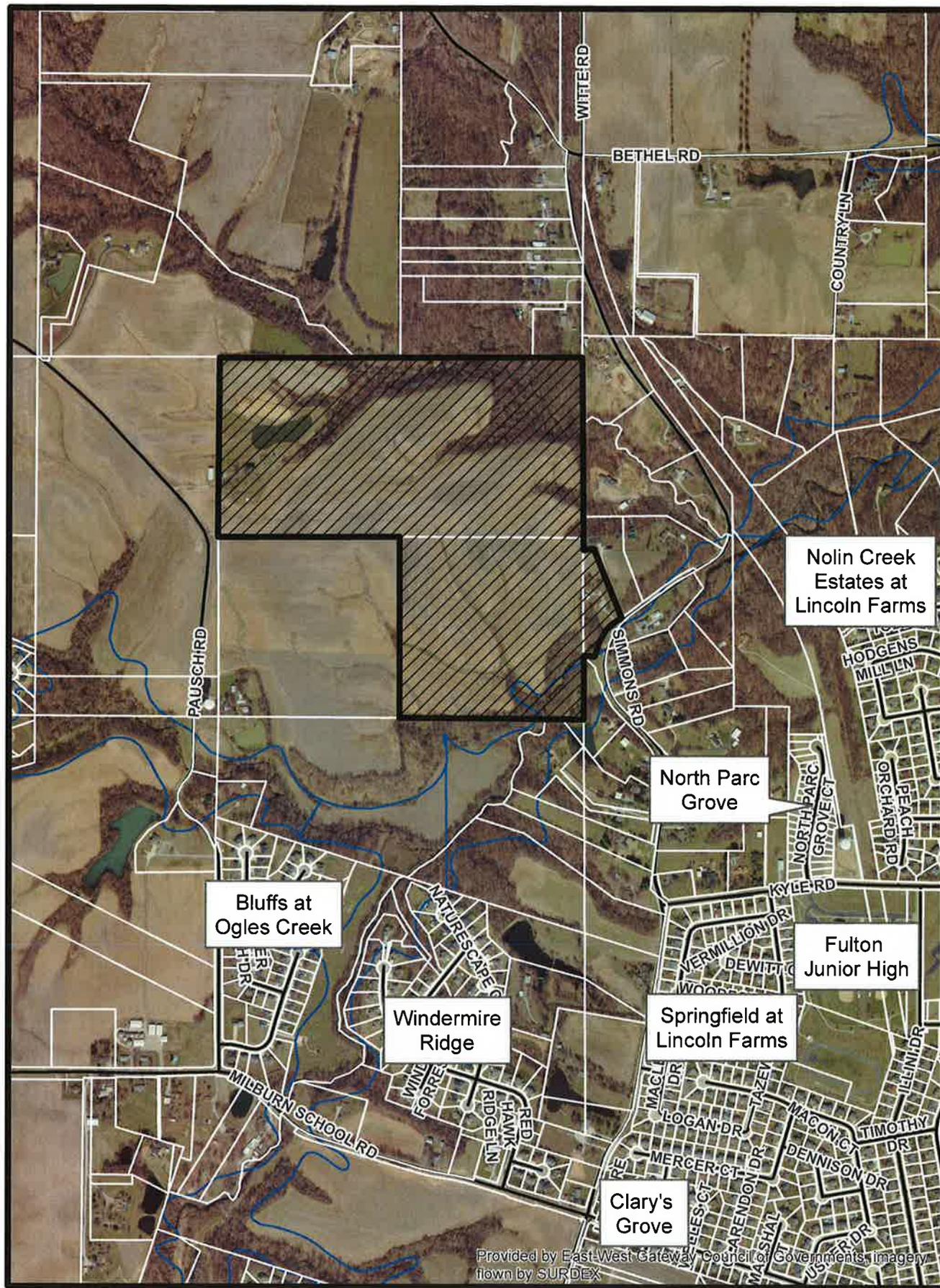
 Subject Property

0 480 960 1,920 2,880 Feet

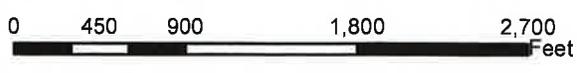


Provided by East-West Gateway Council of Governments, imagery flown by SURDEX

S15-02 & P2015-02: Reserves of Timber Ridge - Land Use Map



 Subject Property



PRELIMINARY PLAT

THE RESERVES OF TIMBER RIDGE BEING PART OF THE NORTH 1/2 OF THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 8 WEST OF THE 3RD PRINCIPAL MERIDIAN, ST. CLAIR COUNTY, ILLINOIS



THOUVENOT, WADE & MOERCHEN, INC.
ENGINEERS & SURVEYORS PLANNERS

CORPORATE OFFICE
 600 QUINCY CLUB VIEW, SUITE 101
 ST. CHARLES, MISSOURI 63101
 TEL. (314) 241-8300
 FAX. (314) 241-8300

ST. LOUIS OFFICE
 2025 MARKET STREET, SUITE 200
 ST. LOUIS, MISSOURI 63101
 TEL. (314) 241-8300
 FAX. (314) 241-8300

ST. CHARLES OFFICE
 400 N. 5TH STREET, SUITE 101
 ST. CHARLES, MISSOURI 63101
 TEL. (314) 241-8300
 FAX. (314) 241-8300

EDWARDSVILLE OFFICE
 600 QUINCY CLUB VIEW, SUITE 101
 ST. CHARLES, MISSOURI 63101
 TEL. (314) 241-8300
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WATERLOO, ILLINOIS 62298
 1123 SOUTH MAIN STREET
 WATERLOO, ILLINOIS 62298
 TEL. (618) 624-4488
 FAX. (618) 624-4488

PROFESSIONAL CERTIFICATIONS

LICENSE NO. 198-0277
 LICENSE EXPIRES 12/31/2012
 LICENSE NO. 198-0277
 LICENSE EXPIRES 12/31/2012
 LICENSE NO. 198-0277
 LICENSE EXPIRES 12/31/2012

PROJECT: THE RESERVES OF TIMBER RIDGE
CITY OF FALLON
ILLINOIS

COVER SHEET
PRELIMINARY PLAT

DATE: 02/15/15
REVISION: PER CITY REVIEW

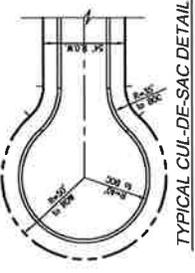
NO.	DATE	DESCRIPTION
1	02/15/15	PER CITY REVIEW

NO.	DATE	DESCRIPTION
1	02/15/15	PER CITY REVIEW

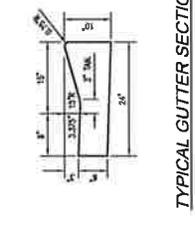
INDEX OF SHEETS

- COVER SHEET AND NOTES
- OVERALL LAYOUT
- 3-6. SITE PLAN WITH TOPOGRAPHY
- 7-10. LOT LAYOUT

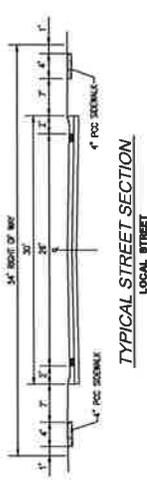
- 54" ROW LINE (UNLESS OTHERWISE NOTED)
- 20' BUILDING SET BACK LINE (UNLESS OTHERWISE NOTED)
- DRAINAGE AND UTILITY EXCHANGE LINE SHALL BE 10' WIDE, ADJACENT TO THE EXCHANGE LINE SHALL BE 10' WIDE, ADJACENT TO EXCHANGE LINE (UNLESS OTHERWISE NOTED)
- BOUNDARY LINE
- LEAF LINE
- FLOOD PLAIN



TYPICAL CUL-DE-SAC DETAIL



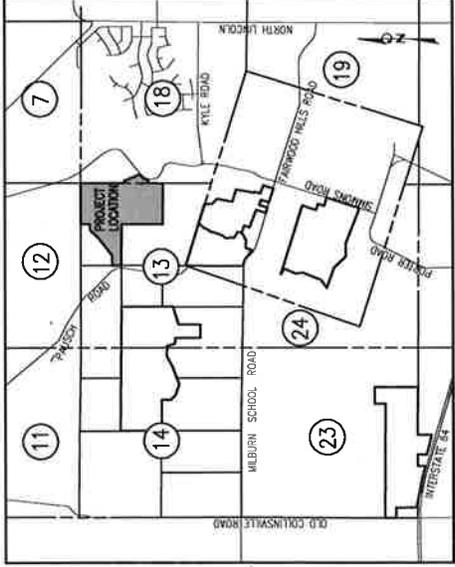
TYPICAL GUTTER SECTION



TYPICAL STREET SECTION LOCAL STREET



TYPICAL STREET SECTION COLLECTOR STREET



LOCATION MAP NOT TO SCALE

SCHOOL DISTRICT: OTTAWON DISTRICT 203
ZONING DISTRICT CLASSIFICATION: CITY OF OTTAWON 9A-18

GROSS AREA OF SUBDIVISION: 10.58 ACRES
 AREA IN LOTS: 12.25 ACRES
 NET AREA OF "TYPED" LOTS: 12.25 ACRES

F.E.M.A. MAP #1718002080
EFFECTIVE DATE: NOVEMBER 5, 2003

- NOTES:
1. FINISH THICKNESS, COMPOSITION AND SLOPE FOR CITY OF OTTAWON STANDARDS.
 2. ALL WATER MAIN TO BE 18" DIA. C-900 18" PVC. 3000 INCHES FROM 4" TO 12".
 3. ALL SANITARY MAIN TO BE 18" DIA. C-900 18" PVC. 3000 INCHES FROM 4" TO 12".
 4. FINAL PLAT AND CONSTRUCTION PLANS SUBJECT TO CITY OF OTTAWON REVIEW.
 5. MAINTENANCE OF CULTIVALS TO BE THE RESPONSIBILITY OF THE HOMEOWNER ASSOCIATION.
 6. STORM SEWER SHALL BE 18" DIA. 12' LONG. 12" DIA. 12' LONG.
 7. STORM SEWER SHALL BE 18" DIA. 12' LONG. 12" DIA. 12' LONG.
 8. VARIANCE REQUESTED FOR CUL-DE-SAC LENGTH DUE TO TOPOGRAPHY.

GENERAL NOTES

1. ALL PROPOSED UTILITIES SHALL BE DEEPENED TO THE PUBLIC FOR PUBLIC AND PRIVATE UTILITIES AND WASTEWATER.
2. ALL BUILDING SET-BACK LINES OF SUBDIVISION BOUNDARIES ARE INDICATED BY (DA) FEET AS MEASURED FROM THE RIGHT-OF-WAY LINE.
3. (A) ANY AND ALL STRUCTURES PROPOSED FOR CONSTRUCTION IN THIS DEVELOPMENT SHALL BE BUILT IN ACCORDANCE WITH THE CITY OF OTTAWON ZONING ORDINANCES AND THE CITY OF OTTAWON SUBDIVISION ORDINANCES. THE CITY OF OTTAWON ZONING ORDINANCES SHALL BE APPLIED TO THIS DEVELOPMENT AS IF THE CITY OF OTTAWON ZONING ORDINANCES WERE APPLIED TO THIS DEVELOPMENT. THE CITY OF OTTAWON ZONING ORDINANCES SHALL BE APPLIED TO THIS DEVELOPMENT AS IF THE CITY OF OTTAWON ZONING ORDINANCES WERE APPLIED TO THIS DEVELOPMENT. THE CITY OF OTTAWON ZONING ORDINANCES SHALL BE APPLIED TO THIS DEVELOPMENT AS IF THE CITY OF OTTAWON ZONING ORDINANCES WERE APPLIED TO THIS DEVELOPMENT.
4. THE TYPE, SIZE AND LOCATION OF UTILITIES AS SHOWN ON THESE DRAWINGS AND INDICATED BY THE DIMENSIONS SHALL BE APPROXIMATE AND ARE SUBJECT TO CHANGE UPON FINAL PLAT. THE CITY OF OTTAWON SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES. THE CITY OF OTTAWON SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES. THE CITY OF OTTAWON SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES.
5. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES.
6. ALL WORK MATERIALS AND INSTALLATION SHALL CONFORM TO THE CITY OF OTTAWON STANDARDS. ALL WORK MATERIALS AND INSTALLATION SHALL CONFORM TO THE CITY OF OTTAWON STANDARDS. ALL WORK MATERIALS AND INSTALLATION SHALL CONFORM TO THE CITY OF OTTAWON STANDARDS.
7. ALL STORM SEWER MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE CITY OF OTTAWON STANDARDS. ALL STORM SEWER MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE CITY OF OTTAWON STANDARDS. ALL STORM SEWER MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE CITY OF OTTAWON STANDARDS.
8. ALL PROPOSED UTILITIES SHOWN ARE PRELIMINARY. FINAL SIZES SHALL BE SHOWN IN THE PRELIMINARY PLAT SUBMITTAL TO THE CITY OF OTTAWON.
9. ALL DIMENSIONS SHOWN HEREON ARE APPROXIMATE AND ARE SUBJECT TO CHANGE UPON FINAL PLAT.

LIST OF UTILITIES

UTILITY	DEPT.	PHONE
WATER	CITY OF OTTAWON	(618) 624-4500
SEWER	CITY OF OTTAWON	(618) 624-4500
ELECTRIC	AMEREN P	1-800-755-5000
CABLE TV	AMEREN COMMUNICATION	(618) 624-4500
	PASADENA TOWNSHIP	(618) 622-4414

JULIE - 1-800-883-0123

PRELIMINARY PLAT SUBMITTAL: FEBRUARY 2, 2015

THOUVENOT,
WADE &
MOERCHEN, INC.
ENGINEERS & SURVEYORS & PLANNERS



COHOCHEATE OFFICE
489 S. CO. COLLEGE RD.
WATERLOO, ILLINOIS 62298
TEL. (314) 824-4426
FAX (314) 824-4688

WATERLOO OFFICE
WATERLOO, ILLINOIS 62298
TEL. (314) 839-5550
FAX (314) 839-5550

EDWARDSVILLE OFFICE
600 COUNTRY CLUB VIL. S.W. 1/4
EDWARDSVILLE, ILLINOIS 62025
TEL. (314) 838-4343
FAX (314) 838-4343

ST. LOUIS OFFICE
729 OLIVE ST. SUITE 200A
ST. LOUIS, MISSOURI 63101
TEL. (314) 241-6300
FAX (314) 241-2351

ST. CHARLES OFFICE
101 N. 10TH ST. SUITE 101
ST. CHARLES, MISSOURI 63301
TEL. (636) 724-8300
FAX (636) 724-8300

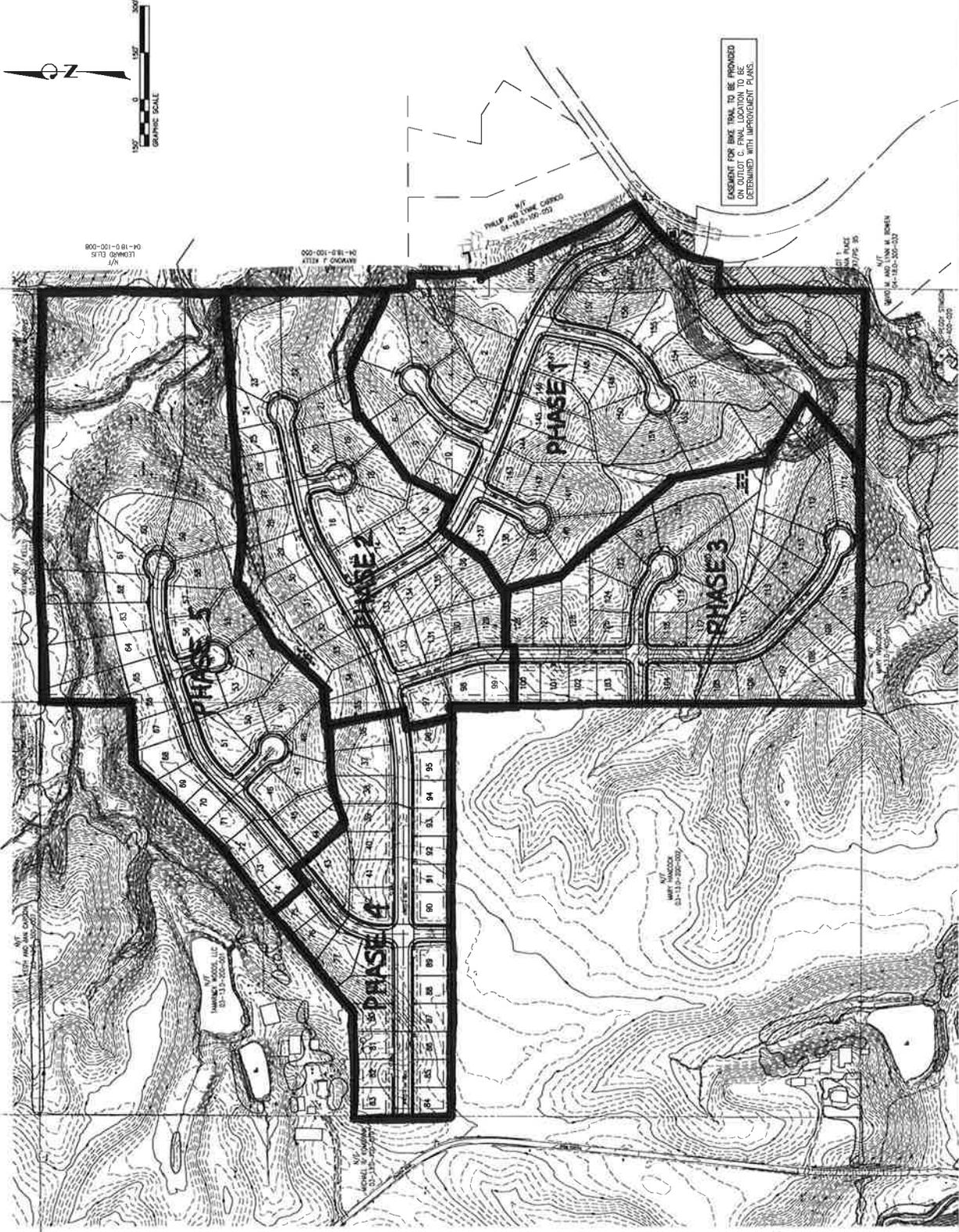
PROFESSIONAL REFERENCES
LEASER/1
ILLINOIS PROFESSIONAL SURVEYOR 199-2012
ILLINOIS PROFESSIONAL ENGINEER 02-10121
ILLINOIS PROFESSIONAL LAND SURVEYOR 04-20020
MISSOURI PROFESSIONAL ENGINEER 04-20020
MISSOURI LAND SURVEYOR 04-20020
IC 02048

PROJECT: THE RESERVES OF TIMBER RIDGE
ST. CLAIR COUNTY
ILLINOIS

OVERALL LAYOUT
PRELIMINARY PLAN

DATE	DESCRIPTION

DATE	2
SCALE	D - 1/4" = 8'-0"
PROJECT	PRELIMINARY PLAN
PROJECT NUMBER	001140056
DESIGNED BY	
CHECKED BY	
APPROVED BY	



THOUVENOT, WADE & MOERCHEN, INC.
 CONSULTING ENGINEERS & PLANNERS



CORPORATE OFFICE
 85 SWANSEA, ILLINOIS 62228
 TEL: (618) 624-4488
 FAX: (618) 624-4488

MASTERS OFFICE
 173 SOUTH MAIN STREET
 WATERLOO, ILLINOIS 62298
 TEL: (618) 939-3939
 FAX: (618) 939-3939

EDWARDSVILLE OFFICE
 600 COUNTRY CLUB VILLAGE, SUITE 110
 EDWARDSVILLE, ILLINOIS 62205
 TEL: (618) 654-6440
 FAX: (618) 656-1413

ST. LOUIS OFFICE
 2204
 ST. LOUIS, MISSOURI 63107
 TEL: (314) 241-5500
 FAX: (314) 241-5500

ST. CHARLES OFFICE
 409 N. 5TH STREET, SUITE 101
 ST. CHARLES, MISSOURI 63301
 TEL: (636) 724-4300
 FAX: (636) 724-4300

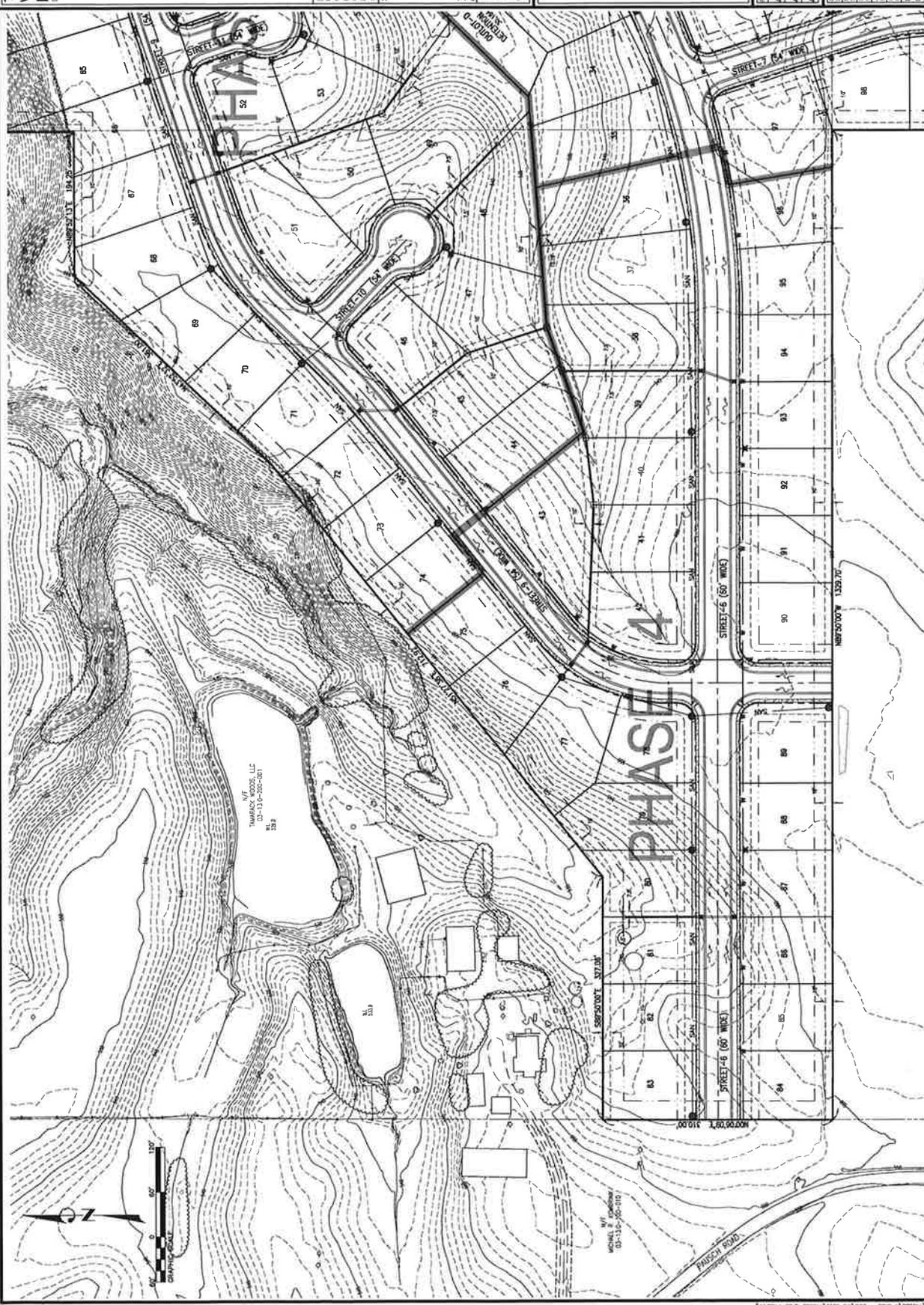
PROFESSIONAL INFORMATION
 LICENSE NO. 110-000000
 LICENSE EXPIRES 12/31/2007
 PROFESSIONAL SEAL NO. 110-000000
 LICENSE NO. 110-000000
 LICENSE EXPIRES 12/31/2007
 PROFESSIONAL SEAL NO. 110-000000
 LICENSE NO. 110-000000
 LICENSE EXPIRES 12/31/2007
 PROFESSIONAL SEAL NO. 110-000000

PROJECT
 THE RESERVES OF TIMBER RIDGE
 CITY OF FALLON
 ST. CLAIR COUNTY
 ILLINOIS

TITLE
 PRELIMINARY PLAN
 SITE PLAN WITH TOPOGRAPHY

DATE	DESCRIPTION

DATE	DESCRIPTION



11/15/2007 1:00 PM - 11/15/2007 1:00 PM
 11/15/2007 1:00 PM - 11/15/2007 1:00 PM
 11/15/2007 1:00 PM - 11/15/2007 1:00 PM

THOUVENOT, WADE & MOERCHEN, INC.
ENGINEERS & SURVEYORS & PLANNERS



4200 OLD COLLETSVILLE RD
ST. LOUIS, MISSOURI 63116
TEL (618) 854-4488
FAX (618) 854-4488

WATERLOO, ILLINOIS 62288
TEL (618) 939-3333
FAX (618) 939-3333

EDWARDSVILLE OFFICE
600 QUARRY CLUB WEN. SUITE 1
WATERLOO, ILLINOIS 62225
TEL (618) 856-4343
FAX (618) 856-4343

ST. LOUIS OFFICE
1700 S. GARDEN
ST. LOUIS, MISSOURI 63101
TEL (314) 241-8300
FAX (314) 241-8300

ST. CHARLES OFFICE
4200 W. 5TH STREET, SUITE 101
ST. CHARLES, MISSOURI 63301
TEL (636) 724-8300
FAX (636) 724-8300

PROFESSIONAL REGISTRATIONS
LICENSED LAND SURVEYOR MISSOURI 194-8877
LICENSED PROFESSIONAL ENGINEER MISSOURI 194-8877
LICENSED PROFESSIONAL ENGINEER ILLINOIS 02-0237
LICENSED PROFESSIONAL ENGINEER MISSOURI 02-0237
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LICENSED PROFESSIONAL ENGINEER ILLINOIS 02-0237

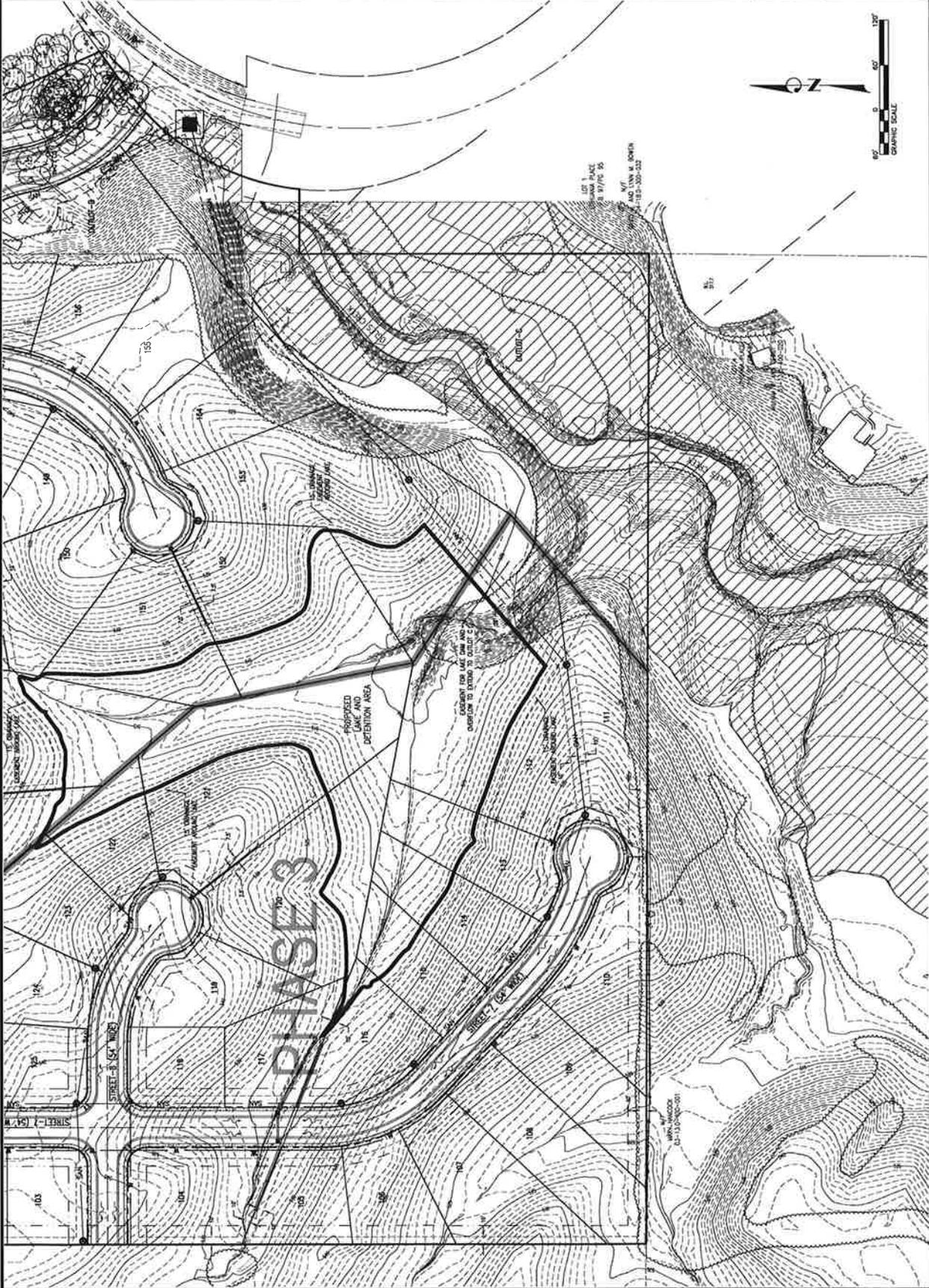
SCALE

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PRELIMINARY PLAN
SITE PLAN WITH TOPOGRAPHY
THE RESERVES OF TIMBER RIDGE
CITY OF FALLON
ST. CLAIR COUNTY
ILLINOIS

REV.	DATE	DESCRIPTION

NO.	LEN.	DATE	BY	CHKD.	APP'D.	PROJECT	DRAWING	SCALE	DATE



THOUVENOT, WADE & MOERCHEN, INC.
 ENGINEERS • SURVEYORS • PLANNERS



CORPORATE OFFICE
 4840 OLD COLLENSVILLE RD
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 FAX (816) 624-6688

WATERSLOO OFFICE
 WATERSLOO, MISSOURI 64092
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 800 COUNTRY CLUB VIEW SQ. #100
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 FAX (314) 241-2301

ST. CHARLES OFFICE
 420 WEST STREET, SUITE 101
 ST. CHARLES, MISSOURI 63301
 TEL (636) 724-3300
 FAX (636) 724-3300

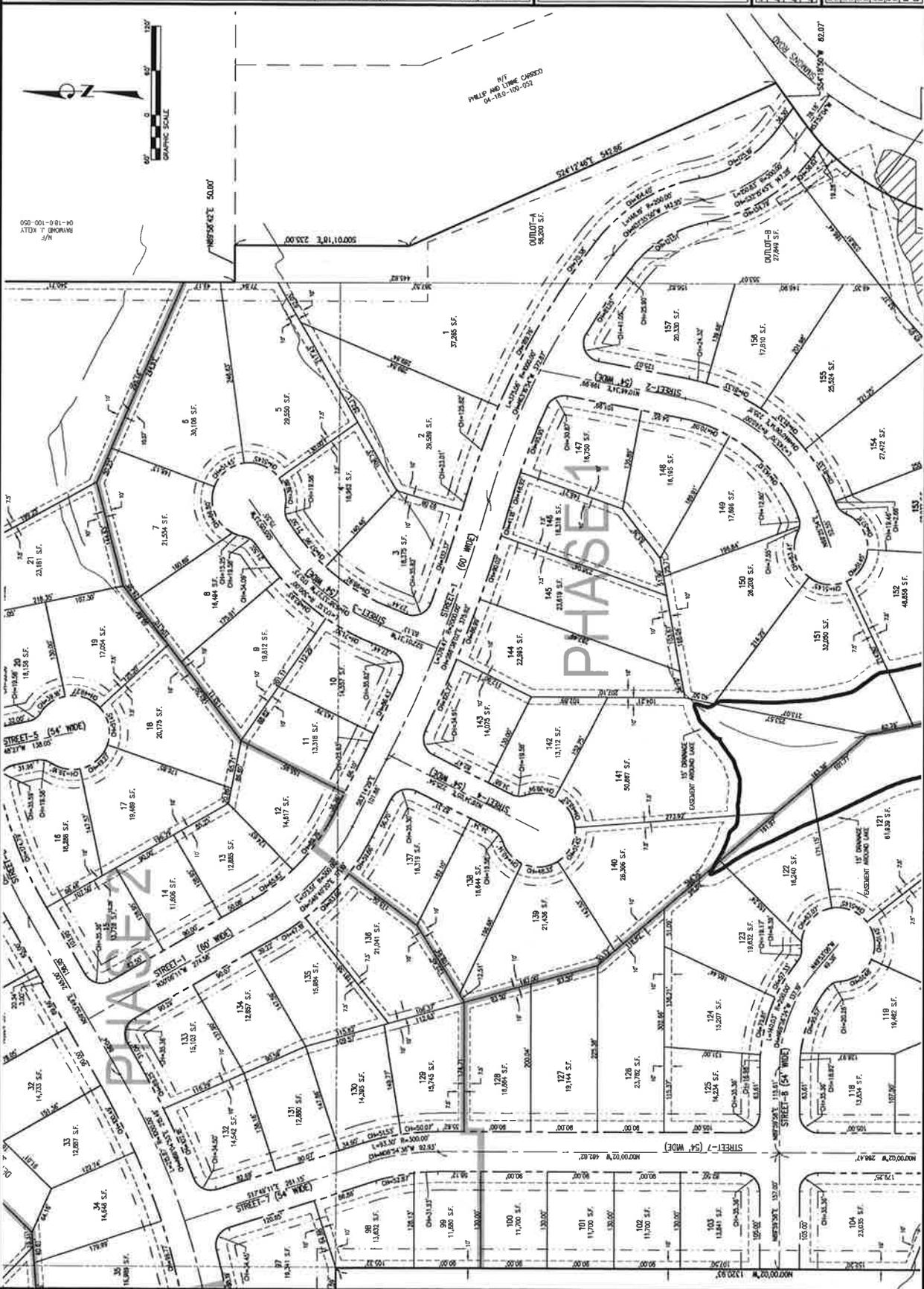
PROFESSIONAL ORGANIZATIONS
 LICENSED PROFESSIONAL ENGINEER
 LICENSED PROFESSIONAL SURVEYOR
 LICENSED PROFESSIONAL PLANNER
 LICENSED PROFESSIONAL LANDSCAPE ARCHITECT
 LICENSED PROFESSIONAL ARCHITECT
 LICENSED PROFESSIONAL CIVIL ENGINEER
 LICENSED PROFESSIONAL ELECTRICAL ENGINEER
 LICENSED PROFESSIONAL MECHANICAL ENGINEER
 LICENSED PROFESSIONAL CHEMICAL ENGINEER
 LICENSED PROFESSIONAL INDUSTRIAL ENGINEER
 LICENSED PROFESSIONAL METALLURGICAL ENGINEER
 LICENSED PROFESSIONAL NUCLEAR ENGINEER
 LICENSED PROFESSIONAL AERONAUTICAL ENGINEER
 LICENSED PROFESSIONAL AGRICULTURAL ENGINEER
 LICENSED PROFESSIONAL BIOMEDICAL ENGINEER
 LICENSED PROFESSIONAL ENVIRONMENTAL ENGINEER
 LICENSED PROFESSIONAL FOOD ENGINEER
 LICENSED PROFESSIONAL FURNACE ENGINEER
 LICENSED PROFESSIONAL GEOTECHNICAL ENGINEER
 LICENSED PROFESSIONAL MARINE ENGINEER
 LICENSED PROFESSIONAL MINING ENGINEER
 LICENSED PROFESSIONAL PETROLEUM ENGINEER
 LICENSED PROFESSIONAL SAFETY ENGINEER
 LICENSED PROFESSIONAL TRANSPORTATION ENGINEER
 LICENSED PROFESSIONAL WATERSUPPLY ENGINEER
 LICENSED PROFESSIONAL WASTE ENGINEER
 LICENSED PROFESSIONAL WIND ENGINEER
 LICENSED PROFESSIONAL WOOD ENGINEER

PROJECT
 THE RESERVES OF TIMBER RIDGE
 ST. CLAIR COUNTY
 ILLINOIS

TITLE
 PRELIMINARY PLAT
 LOT LAYOUT

NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION



CITY OF O'FALLON, ILLINOIS

RESOLUTION NO. 2015 - _____

**AUTHORIZING THE MAYOR TO SIGN
AN ANNEXATION AGREEMENT WITH
MICHAEL R. KOMBRINK,
REPRESENTING MRK LAND TRUST
FOR A PATH OF ANNEXATION TO THE
RESERVES OF TIMBER RIDGE
SUBDIVISION**

WHEREAS, a proposed annexation agreement has been filed with the City Clerk of the City of O'Fallon by MRK Land Trust; and

WHEREAS, the proposed annexation agreement has been reviewed and has been determined to be beneficial to the public welfare; and

WHEREAS, the proposed annexation agreement was reviewed at the March 23, 2015 Community Development Committee meeting and approved with a vote of X-X; and

WHEREAS, a public hearing on such terms of the annexation agreement was held on April 6, 2015, before the O'Fallon City Council.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'FALLON, ILLINOIS THAT:

- 1) The Mayor is authorized to sign an annexation agreement between the City of O'Fallon and MRK Land Trust for a Path of Annexation for the Reserves of Timber Ridge in substantially the form of the agreement attached to and made an integral and continuing part of this resolution by reference.
- 2) The City of O'Fallon hereby agrees with all terms and conditions as indicated therein.
- 3) This resolution shall be come effective immediately upon its adoption by the City Council.

Resolved by the Mayor and City Council of the City of O'Fallon this _____ day of _____, 2015.

Attest:

Approved:

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

CITY OF O'FALLON, ILLINOIS

RESOLUTION NO. 2015 - _____

**AUTHORIZING THE MAYOR TO SIGN
AN ANNEXATION AGREEMENT WITH
DENNY BLUMBERG, REPRESENTING
HUNTING CHASE HOMES, CORP FOR
THE RESERVES OF TIMBER RIDGE
SUBDIVISION**

WHEREAS, a proposed annexation agreement has been filed with the City Clerk of the City of O'Fallon by Hunting Chase Homes, Corp.; and

WHEREAS, the proposed annexation agreement has been reviewed and has been determined to be beneficial to the public welfare; and

WHEREAS, the proposed annexation agreement was reviewed at the March 23, 2015 Community Development Committee meeting and approved with a vote of X-X; and

WHEREAS, a public hearing on such terms of the annexation agreement was held on April 6, 2015, before the O'Fallon City Council.

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF O'FALLON, ILLINOIS THAT:**

- 1) The Mayor is authorized to sign an annexation agreement between the City of O'Fallon and Huntington Chase Homes, Corp. for the Reserves of Timber Ridge in substantially the form of the agreement attached to and made an integral and continuing part of this resolution by reference.
- 2) The City of O'Fallon hereby agrees with all terms and conditions as indicated therein.
- 3) This resolution shall be come effective immediately upon its adoption by the City Council.

Resolved by the Mayor and City Council of the City of O'Fallon this _____ day of _____, 2015.

Attest:

Approved:

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

Resolution No. _____

**A RESOLUTION APPROVING AND
ACCEPTING THE PRELIMINARY PLAT
OF RESERVES OF TIMBER RIDGE**

WHEREAS, the proposed preliminary plat has been reviewed by the O’Fallon Planning Commission, and planning and engineering staff, and recommended by each; and

WHEREAS, the property described in Exhibit A is currently located in St. Clair County, is zoned Agriculture, A and Rural Residential, RR3, and is proposed for annexation into the City of O’Fallon as a single-family subdivision containing 157 homes and proposed for “SR-1B” zoning; and

WHEREAS, the developer will be responsible for paying to the City of O’Fallon a fee in lieu of 2.66 acres of park land dedication in the amount \$135,864; and

WHEREAS, the developer has requested that a variance be granted by the City Council to allow for a variance to exceed the 800 foot maximum length requirement for dead-end streets as shown in the attached preliminary plat (Exhibit A) and the requirement of a berm at the entrance to Simmons Road, and the City Council has determined that such variances to the dead-end street and berm is reasonable; and

WHEREAS, on March 23, 2015 the Community Development Committee of the City Council reviewed the preliminary plat and recommended approval with a vote of X-X.

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF O’FALLON AS FOLLOWS:**

- 1) Approval. Reserves of Timber Ridge Preliminary Plat, as proposed by the developer, a copy of which is attached and made an integral and continuing part of this resolution, be accepted and approved with the conditions below:
 1. Concurrent annexation and rezoning of land from St. Clair County Agriculture, A and Rural Residential RR3 to Single-Family, SR-1B in the City of O’Fallon; and.
 2. A variance to allow Street 9 to increase the maximum length of a dead end street from 800 feet to 1,532 feet; and
 3. A variance to remove the requirement of a berm along Simmons Road; and
 4. The park dedication requirement is 2.66 acres with the requirement being fulfilled through a fee in lieu of land in the amount of \$135,864; and
 5. Prior to final approval of the construction plans, the developer/engineer will need to ensure the entrance is designed to achieve adequate visibility and sight distances at the intersection with Simmons Road.

- 2) Resolution Recorded with Clerk. The City Clerk is hereby directed to file and maintain a copy of this resolution, along with a copy of the plat, in the Office of the City Clerk; and
- 3) Effective Date. This resolution shall become effective immediately upon its adoption by the City Council.

Resolved by the Mayor and City Council of the City of O'Fallon this _____, 2015.

Approved:

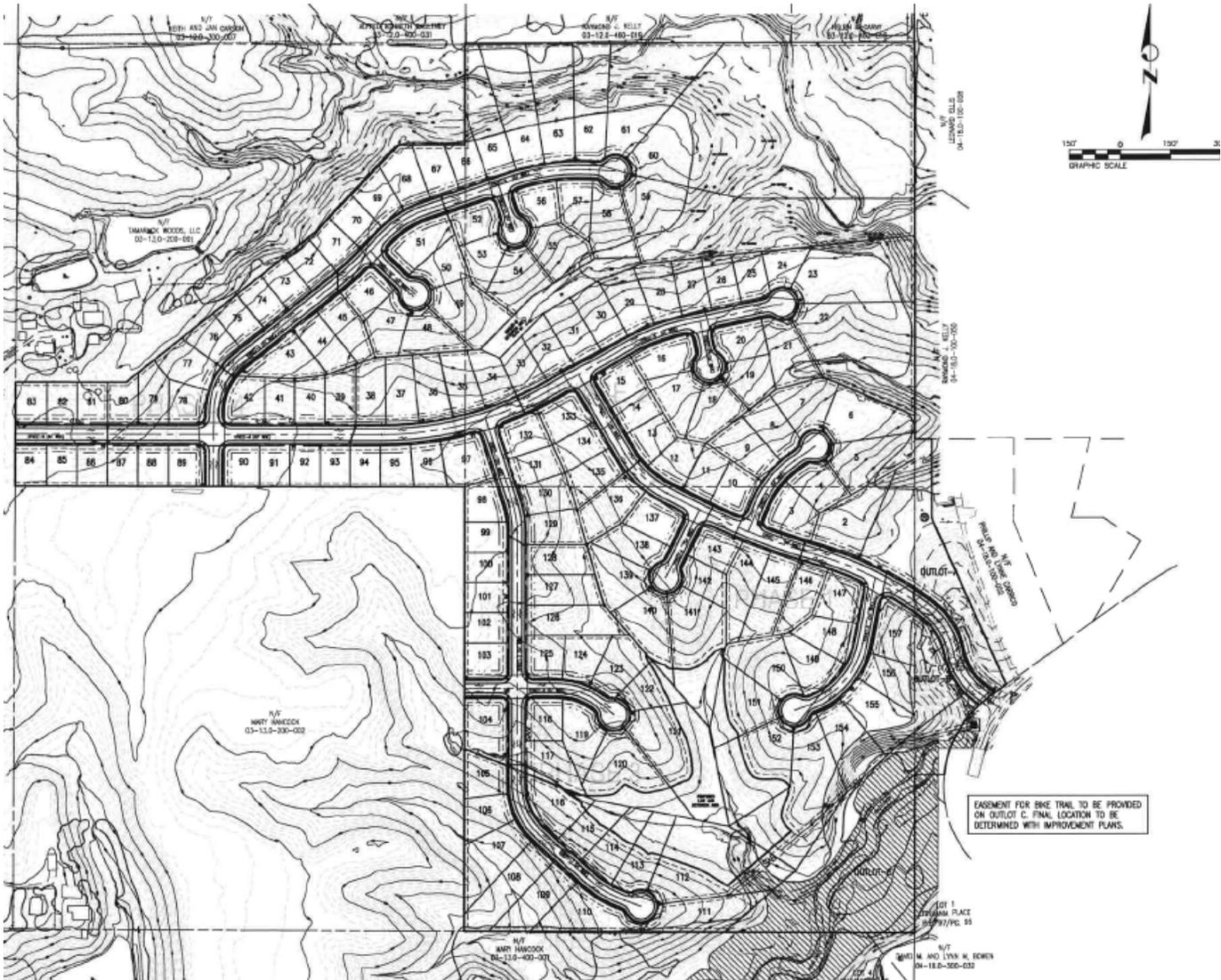
Gary L. Graham, Mayor

Attest:

Philip A. Goodwin, City Clerk

EXHIBIT "A"

PRELIMINARY PLAT



Ordinance No. _____

**AN ORDINANCE ANNEXING CERTAIN
TERRITORY TO THE CITY OF
O'FALLON, ST. CLAIR COUNTY,
ILLINOIS CONTAINING
APPROXIMATELY 111.57 ACRES**

WHEREAS, the owners of territory depicted in Exhibit A and more specifically described in Exhibit B, attached hereto and made part hereof, desires to allow the City of O'Fallon to annex the territory herein depicted and described; and

WHEREAS, said territory includes all or a portion of Parcels 03-13.0-100-010, 04-18.0-100-045, 03-13.0-200-003 and 03-13.0-200-001; and

WHEREAS, the owners have filed with the City Clerk of the City of O'Fallon, a duly signed and verified petition to annex the subject real estate and signed annexation petition; and

WHEREAS, the territory is presently zoned Agriculture, A and Rural Residential RR3 in unincorporated St. Clair County and is proposed for rezoning within the City of O'Fallon to SR-1B for all or a portion of Parcels 04-18.0-100-045, 03-13.0-200-003 and 03-13.0-200-001; and

WHEREAS, the territory is presently zoned Agriculture, A in unincorporated St. Clair County and is proposed for A, Agricultural zoning within the City of O'Fallon for all or a portion of Parcels 03-13.0-100-010; and

WHEREAS, 0 electors reside on the entirety of the property herein described; and

WHEREAS, all notices have been served to the affected parties as required by statute; and

WHEREAS, the territory has been subject to all necessary hearings before the appropriate bodies.

**NOT THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF O'FALLON, ST. CLAIR COUTNY, ILLINOIS AS FOLLOWS:**

Section 1. Approval. The territory depicted in Exhibit A, and described in Exhibit B, attached hereto and made part hereof, is hereby annexed to the City of O'Fallon, St. Clair County, Illinois.

Section 2. Zoning. The territory shown in Exhibit A shall be zoned SR-1B in a manner as required by law by the City of O'Fallon.

PETITION FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL
OF THE CITY OF O’FALLON
ST. CLAIR COUNTY, ILLINOIS

The undersigned Petitioners hereby respectfully petition to annex to the City of O’Fallon, St. Clair County, Illinois, the territory described on the attached “Exhibit A” and states as follows:
PARCEL NUMBER(S): 03-13.0-100-010, part of

ADDRESS(ES):1240 Pausch Road

1. The territory hereinbefore described is not within the corporate limits of any municipality.
2. The territory hereinbefore described is contiguous to the City of O’Fallon, St. Clair County, Illinois.
3. There are 0 electors residing on the territory hereinbefore described.
4. The Petitioners are the sole owners of record of all land within the territory hereinbefore described, and it has also executed this Petition as such owners.
5. This Petition is conditioned on the provisions of a certain Annexation Agreement between the City of O’Fallon by and through its Mayor and City Council and Petitioners.

WHEREFORE, Petitioner respectfully requests that the corporate authorities of the City of O’Fallon, St. Clair County, Illinois, annex the territory hereinbefore described to the City of O’Fallon in accordance with the provisions of this Petition and in accordance with the law in such case made and provided.

DATED: _____

OWNER:_____

PRINT:_____ Michael Kombrink

State of Illinois
County of St. Clair

SUBSCRIBED AND SWORN to before me this _____ day of _____,2015.

Notary Public

PETITION FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL
OF THE CITY OF O'FALLON
ST. CLAIR COUNTY, ILLINOIS

The undersigned Petitioners hereby respectfully petition to annex to the City of O'Fallon, St. Clair County, Illinois, the territory described on the attached "Exhibit A" and states as follows:
PARCEL NUMBER(S): 04-18.0-100-045

03-13.0-200-003

03-13.0-200-001, part of

ADDRESS(ES):1309 Simmons Road

1. The territory hereinbefore described is not within the corporate limits of any municipality.
2. The territory hereinbefore described is contiguous to the City of O'Fallon, St. Clair County, Illinois.
3. There are 0 electors residing on the territory hereinbefore described.
4. The Petitioners are the sole owners of record of all land within the territory hereinbefore described, and it has also executed this Petition as such owners.
5. This Petition is conditioned on the provisions of a certain Annexation Agreement between the City of O'Fallon by and through its Mayor and City Council and Petitioners.

WHEREFORE, Petitioner respectfully requests that the corporate authorities of the City of O'Fallon, St. Clair County, Illinois, annex the territory hereinbefore described to the City of O'Fallon in accordance with the provisions of this Petition and in accordance with the law in such case made and provided.

DATED: 3/6/2015

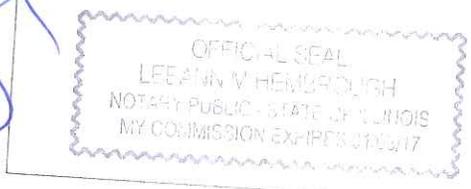
OWNER: [Signature]

PRINT: Denny Blumberg, representing Huntington Chase Homes, Corp.

State of Illinois
County of St. Clair

SUBSCRIBED AND SWORN to before me this 6 day of March, 2015.

[Signature]
Notary Public



PETITION FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL
OF THE CITY OF O'FALLON
ST. CLAIR COUNTY, ILLINOIS

The undersigned Petitioners hereby respectfully petition to annex to the City of O'Fallon, St. Clair County, Illinois, the territory described on the attached "Exhibit A" and states as follows:

PARCEL NUMBER(S): 04-18.0-100-045
03-13.0-200-003
03-13.0-200-001, part of

ADDRESS(ES): 1309 Simmons Road

1. The territory hereinbefore described is not within the corporate limits of any municipality.
2. The territory hereinbefore described is contiguous to the City of O'Fallon, St. Clair County, Illinois.
3. There are 0 electors residing on the territory hereinbefore described.
4. The Petitioners are the sole owners of record of all land within the territory hereinbefore described, and it has also executed this Petition as such owners.
5. This Petition is conditioned on the provisions of a certain Annexation Agreement between the City of O'Fallon by and through its Mayor and City Council and Petitioners.

WHEREFORE, Petitioner respectfully requests that the corporate authorities of the City of O'Fallon, St. Clair County, Illinois, annex the territory hereinbefore described to the City of O'Fallon in accordance with the provisions of this Petition and in accordance with the law in such case made and provided.

DATED: _____

OWNER: _____

PRINT: Denny Blumberg, representing Huntington Chase Homes, Corp.

State of Illinois
County of St. Clair

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2015.

Notary Public

DATED: March 16, 2015

OWNER: [Signature]

PRINT: Jeff Holland, representing Tamarack Woods LLC

State of Illinois
County of St. Clair

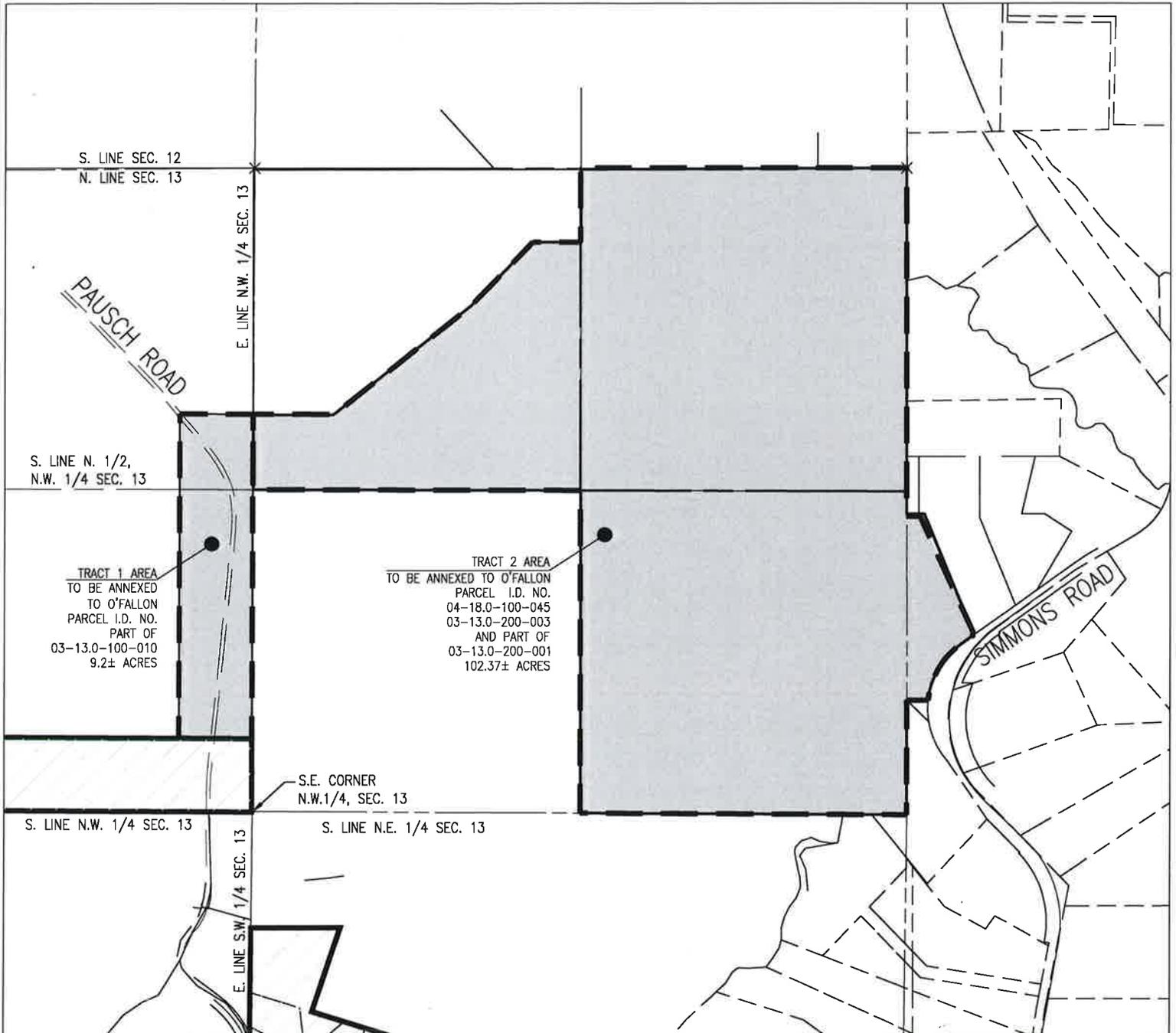
SUBSCRIBED AND SWORN to before me this 16 day of March, 2015.

Pamela A Ridall
Notary Public



EXHIBIT B

PLAT OF ANNEXATION FOR CITY OF O'FALLON, ILLINOIS



CERTIFICATION

THIS IS TO CERTIFY THAT "THOUVENOT, WADE & MOERCHEN, INC." HAS PREPARED THIS PLAT FOR ANNEXATION TO CITY OF O'FALLON, COUNTY OF ST. CLAIR, STATE OF ILLINOIS.

Edgar M. Barnal
EDGAR M. BARNAL
I.P.L.S. # 2750



SIGN. DATE: 03-10-2015
EXP. DATE 11-30-2016

LEGEND:

- EXIST. CORP. LIMITS
- PRO. CORP. LIMITS
- AREA TO BE ANNEXED
- EXISTING CITY OF O'FALLON LIMITS



THOUVENOT, WADE & MOERCHEN, INC.
SWANSEA OFFICE
4940 OLD COLLINSVILLE RD, SWANSEA, ILLINOIS 62226
PHONE (618) 624-4488 FAX (618) 624-6688



SCALE:
1"=600'

Annexation Tract 1

A tract of land being part of the Northwest Quarter of Section 13, Township 2 North, Range 8 West of the Third Principal Meridian, City of O'Fallon, County of St. Clair, State of Illinois and being more particularly described as follows:

Commencing at a stone at the southeast corner of said Northwest Quarter of Section 13; thence North 00 degrees 01 minutes 31 seconds West, on the east line of said Northwest Quarter of Section 13, a distance of 300.00 feet to the northerly line a tract of land previously annexed to the City of O'Fallon, Illinois by Ordinance Number 3540 and recorded in the St. Clair County Recorder's Office in Document Number A02074139 and the Point of Beginning.

From said Point of Beginning; thence North 89 degrees 45 minutes 01 second West, 300 feet northerly of and parallel with the south line of said Northwest Quarter of Section 13 and the northerly line of said tract of land previously annexed to the City of O'Fallon, Illinois, a distance of 300.00 feet; thence North 00 degrees 01 minutes 31 seconds East, 300 feet westerly of and parallel with said east line of the Northwest Quarter of Section 13, a distance of 1330.00 feet; thence South 89 degrees 45 minutes 01 seconds East, parallel with said south line of the Northwest Quarter of Section 13, a distance of 300.00 feet to said east line of the Northwest Quarter of Section 13; thence South 00 degrees 01 minute 31 seconds West, on said east line of the Northwest Quarter of Section 13, a distance of 1330.00 feet to the Point of Beginning.

Said tract contains 9.2 acres, more or less.

PIN Part of 03-13.0-100-010

Annexation Tract 2

Part of the Northeast Quarter of Section 13, Township 2 North, Range 8 West and the Northwest Quarter of Section 18, Township 2 North, Range 7 West of the Third Principal Meridian, St. Clair County, Illinois, and being more particularly described as follows.

Beginning at a stone at the northeast corner of said Northeast Quarter of Section 13; thence South 00 degrees 01 minute 18 seconds East, on the east line of said Northeast Quarter of Section 13, a distance of 1427.25 feet; thence North 89 degrees 58 minutes 42 seconds East, 76.05 feet to a northeasterly line of a tract described as Parcel Two of land described in Document Number A01806285; thence South 22 degrees 03 minutes 36 seconds East, on said northeasterly line of a tract of land described as Parcel Two in Document Number A01806285, a distance of 523.59 feet to the northwesterly right of way line of Simmons Road; thence on said northwesterly right of way line of Simmons Road the following two (2) courses and distances; 1.) South 54 degrees 18 minutes 50 seconds West, 62.07 feet; 2.) southwesterly 276.52 feet on a curve to the left having a radius of 327.94 feet, the chord of said curve bears South 30 degrees 09 minutes 27 seconds West, 268.40 feet to the southwest corner of a tract of land described as Parcel One in Document Number A01806285; thence South 89 degrees 58 minutes 42 seconds West, on the southerly line of said tract of land described as Parcel One in Document Number A01806285, a distance of 87.10 feet to said east line of the Northeast Quarter of Section 13; thence South 00 degrees 01 minutes 18 seconds East, on said east line of the Northeast Quarter of Section 13, a distance of 468.88 feet; thence North 89 degrees 40 minutes 03 seconds West, on the south line of the Southeast Quarter of said Northeast Quarter of Section 13, a distance of 1331.90 feet to the southwest corner of said Southeast Quarter of the Northeast Quarter of Section 13; thence North 00 degrees 02 minutes 55 seconds East, on the west line of said Southeast Quarter of the Northeast Quarter of Section 13, a distance of 1320.91 feet to the northwest corner of said Southeast Quarter of the Northeast Quarter of Section 13; thence North 89 degrees 50 minutes 00 seconds West, on the south line of the Northwest Quarter of said Northeast Quarter of Section 13, a distance of 1330.65 feet to a stone at the southwest corner of said Northwest Quarter of the Northeast Quarter of Section 13; thence North 00 degrees 12 minutes 35 seconds East, on the west line of said Northeast Quarter of Section 13, a distance of 310.00 feet, thence South 89 degrees 50 minutes 00 seconds East, 310.00 feet northerly of and parallel with said south line of the Northwest Quarter of the Northeast Quarter of Section 13, a distance of 326.48 feet; thence North 51 degrees 27 minutes 38 seconds East, 712.92 feet; thence North 43 degrees 52 minutes 32 seconds East, 361.00 feet; thence North 89 degrees 50 minutes 30 seconds East, 196.06 feet to the east line of said Northwest Quarter of the Northeast Quarter of Section 13; thence North 00 degrees 02 minutes 55 seconds East, on said east line of the Northwest Quarter of the Northeast Quarter of Section 13, a distance of 297.64 feet to a stone at the northwest corner of the Northeast Quarter of the Northeast Quarter of Section 13; thence North 89 degrees 46 minutes 04 seconds East, on the north line of said Northeast Quarter of the Northeast Quarter of Section 13, a distance of 1,328.65 feet to the Point of Beginning.

Said tract contains 102.37 acres, more or less.

Subject to easements, conditions and restrictions of record.

PIN 04-18.0-100-045, 03-13.0-200-003, 03-13.0-200-001

^
and part of

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE
623, ZONING DISTRICTS OF THE CITY OF
O’FALLON, ILLINOIS (DEVELOPMENT
KNOWN AS “RESERVES OF TIMBER
RIDGE” SUBDIVISION**

WHEREAS, the applicant, Huntington Chase Homes, Corp., proposes to Subdivide 102.37 acres of land into Single-Family residential lots west of Simmons Road and has requested and heretofore filed a petition with the City of O’Fallon for a zoning change of the property currently located in St. Clair County, zoned Agriculture, A and Rural Residential, RR3, and is proposed for annexation into the City of O’Fallon as “SR-1B” Single Family Residence Dwelling District, pursuant to the proposed development shown on the attached Preliminary Plat (Exhibit A); and

WHEREAS, the developer will be responsible for paying to the City of O’Fallon a fee in lieu of 2.66 acres of park land dedication in the amount \$135,864; and

WHEREAS, the applicant has filed an application with the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws; and

WHEREAS, the developer has requested that a variance be granted by the City Council to allow for a variance to exceed the 800 foot maximum length requirement for dead-end streets as shown in the attached preliminary plat (Exhibit A) and the requirement of a berm at the entrance to Simmons Road, and the City Council has determined that such variances to the dead-end street and berm is reasonable; and

WHEREAS, said Planning Commission of the City of O’Fallon, Illinois held a public hearing on February 28, 2006, in accordance with state statute, and recommended to approve the petitioner’s request to obtain SR-1B Single Family Residence Dwelling District zoning for the property with a vote of 5-ayes to 1-nayes; and

WHEREAS, on March 23, 2015 the Community Development Committee of the City Council reviewed the preliminary plat and recommended approval with a vote of X-X.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O’FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:

Section 1. Approval of the Zoning Amendment. That upon the effective date of this Ordinance, the described property, known as “Illini Trails” Subdivision, be henceforth classified as zoning district SR-1B Single Family Residence Dwelling District as shown on the attached Exhibit A.

Section 2. Filing. A Certified Copy of this ordinance, with all referenced attachments, shall be filed with the City Clerk’s office of the City of O’Fallon, Illinois.

Section 3. Passage. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council this _____ day of _____ 2015.

ATTEST:

Approved by the Mayor this _____ day

(seal)

of _____ 2015.

Philip A. Goodwin, City Clerk

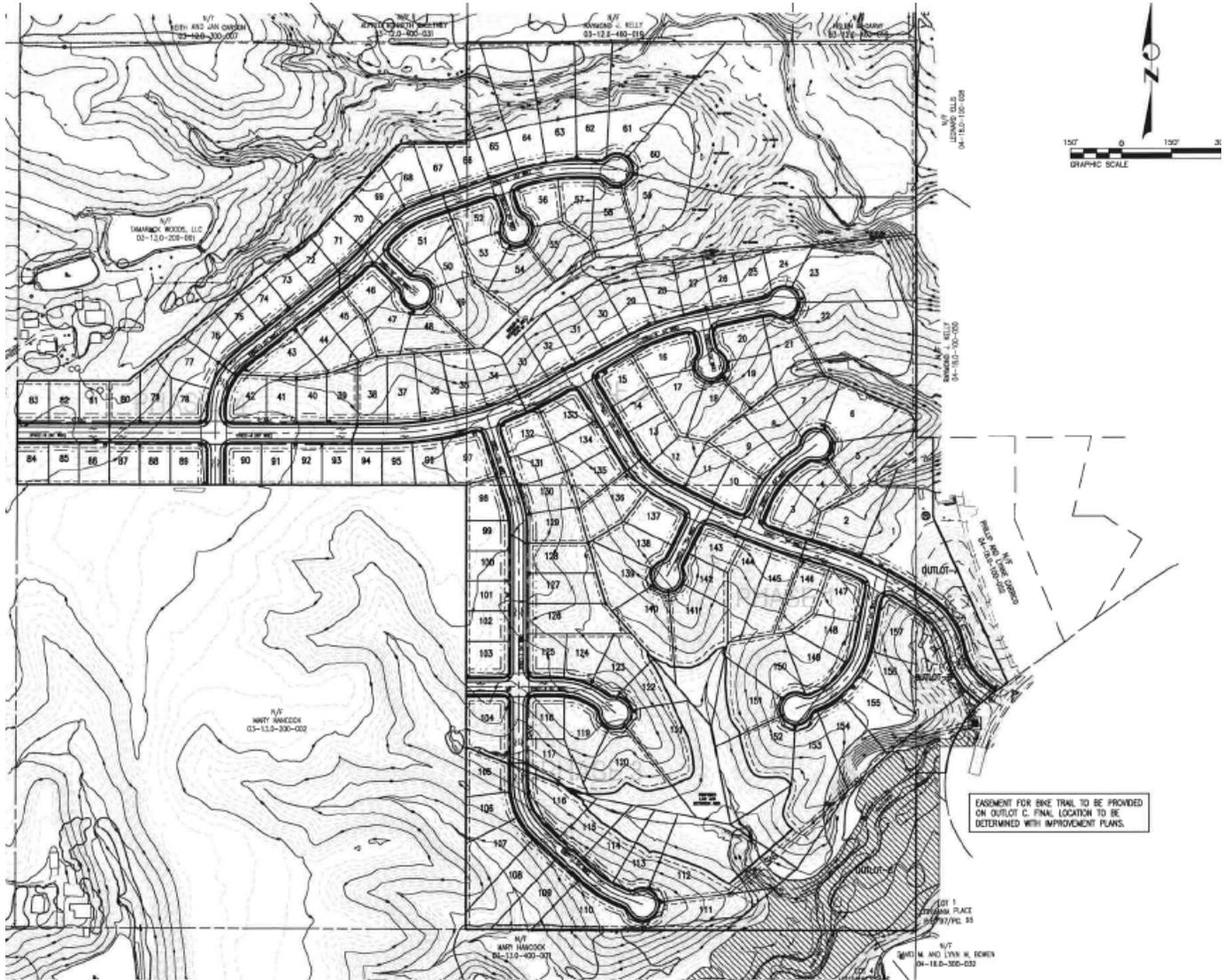
Gary L. Graham, Mayor

ROLL CALL:	McCoskey	Meile	True	Albrecht	Mouser	Hagarty	Drolet, J.	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Roach	Bennett	Cardona	Hursey	Holden	Cozad	Gerrish	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									

EXHIBIT "A"

PRELIMINARY PLAT





MEMORANDUM

TO: Community Development Committee
FROM: Justin Randall, Senior City Planner
THROUGH: Ted Shekell, Director of Community Development
DATE: March 23, 2015
SUBJECT: P2015-01: Gateway Classic Cars, Planned Use

Recommendation

The Planning Commission held a public hearing on the above referenced application at their March 10, 2015 meeting. The Commission voted 6-ayes and 0-nays to approve the requested Planned Use application for Gateway Classic Cars, subject to the conditions recommended by staff.

Project Background and Summary

Fairmont Venture Partners, LLC has filed an application requesting a planned use for a parcel of land at 1237 Central Park Drive zoned B-1(P) to allow for public assembly in addition to the consignment of vehicles. They plan to use the existing building and parking lot to hold automotive/motorcycle shows, trade shows, banquets, social gatherings and business meetings.

Curt Schroeder of Greensfelder, Hemker & Gale, attorney on behalf of Darrell Shelton, one of the developers of the Central Park area indicted Shelton is strongly opposed to allowing events of any size at Gateway Classic Cars.

Please see the attached Plan Commission Project Report for more detailed information on the proposal.

Staff Recommendation

Staff recommends approval of the use, with the following conditions:

1. The occupancy of the building shall not exceed the City's minimum parking requirements for spaces provided on the property. Based on the current parking (431 spaces) the maximum occupancy is limited to 1,293 people.
2. Any event in which the expected attendance will exceed 1,200 people, require areas of existing parking to be used for the event or otherwise meets a requirement of a Special Event as defined in Chapter 118 of the Code of Ordinances, a Special Event Permit is required.
3. No parking shall occur off-site, without a Special Event Permit issued by the City Council and without written proof provided to the city of such offsite parking arrangements.
4. No parking shall occur on Central Park Drive.

Attachments:

1. Report to Plan Commission
2. Ordinance for Planned Use Approval
3. SEPA Memo and Application – Midwest Motorcycle Expo

Community Development Department

255 South Lincoln Avenue O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F:618.624.4534

I:\P & Z\ZONEFILE\Petitioner Files\2015\Gateway Classic Cars P2015-01\Gateway Classic Cars Planned Use CDC Memo 3-23-15.docx



PROJECT REPORT

TO: Planning Commission
FROM: Justin Randall, Senior City Planner
THRU: Ted Shekell, Community Development Director
DATE: March 10, 2015
PROJECT: P2015-01: Gateway Classic Cars, Planned Use

Location: 1237 Central Park Drive
Ward: 5
Applicant/Owner: Fairmont Venture Partners, LLC, Sal Akbani
Submitted: January 26, 2015

Introduction

Fairmont Venture Partners, LLC has filed an application requesting a planned use for a parcel of land at 1237 Central Park Drive zoned B-1(P) to allow for public assembly in addition to the consignment of vehicles. The application indicates the use would use the existing structure and parking lot for Gateway Classic Cars.

History of Site

The property is rezoned in 2003 (P2003-39) from B-1 to B-1(P) for American TV and Appliance. The plan was approved to construct a 126,852 square foot building with an asphalt parking lot with 431 parking spaces. In 2014, Gateway Classic Cars relocated to the site.

Zoning & Land Use

The subject property is currently zoned B-1(P), Community Business District.

Adjacent Zoning

North: B-1 & B-1(P)
East: B-1 & B-1(P)
South: MR-2 & MR-2(P)
West: SR-1B(P) & MR-1(P)

Adjacent Land Use

North: Vacant lot and commercial uses along Central Park Drive
East: Commercial uses along Central Park Drive
South: Parkway-Lakeside & Green Mount Lakes apartments
West: Stonebridge Estates and Villas

Please see the attached maps for more detailed information on surrounding zoning and land uses.

Applicable Ordinance, Documents and Reports

O'Fallon Comprehensive Plan: The O'Fallon Comprehensive Plan Future Land Use Map depicts the subject property as Regional Commercial, which is consistent with the existing use and the proposed public assembly.

Community Development Department

255 South Lincoln Avenue, O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F: 618.624.4534

Code of Ordinances: The existing multi-use building is subject to Article 6 Planned Uses of Chapter 158: Zoning of the Code of Ordinance and requires a development plan. The property is also subject to the B-1, Community Business District requirements.

Public Notice: Public Notice of this project has been fulfilled in accordance with Section 158.255 and 158.256 of the City of O'Fallon Zoning Regulations. More specifically, the applicant has notified property owners within 250 feet of the subject property via certified mail of the filing of the zoning amendment. Additionally, the City has notified property owners within 250 feet of the subject parcel of the public hearing at least 15 days prior to the hearing and published notice of the public hearing in a local newspaper at least 15 days in advance. Proof of notification is on file with the City's Community Development Department.

Discussion Points/Issues

Land Use

The subject property is the location of Gateway Classic Cars, which is an automotive consignment business. The owner of the property is requesting approval for public assembly to hold automotive/motorcycle shows, trade shows, banquets, social gatherings and business meetings. The subject property is identified as *Regional Commercial* in the Comprehensive Plan. The proposed project is consistent with the Comprehensive Plan.

Site Plan

The building is already constructed and no building or site changes have been proposed.

Traffic Circulation/Parking

Ingress and Egress: The site will continue to provide access from two existing access points off Central Park Drive. While the consignment of vehicles does not tend to generate a large amount of traffic, public assembly has the potential to generate a large amount of traffic on large events. Central Park Drive has a large mixture of commercial and restaurant uses that generate a large amount of traffic, which will only be enhanced by these larger events. Staff is less concerned over the smaller events, including corporate meetings, lunches and banquets. But staff believes there could be some impact to the area during these large events and Gateway Classic Cars needs to provide a defined plan for ensuring surrounding properties are not adversely affected during these large events. Central Park Drive is a two lane road with a middle turn lane, which provides adequate access to the site, however exiting the Central Park development can be challenging and the city has identified the need for improvements on Central Park Drive at Green Mount Road.

Parking: The site has an existing parking lot associated with the previous use as an electronics and appliance store. The parking lot includes 431 parking spaces, 10 of which are designated as accessible spaces. The site plan indicates the parking spaces meet all of the dimension requirements of Chapter 158, Article 7 - Parking and Loading of the Code of Ordinances.

The site plan indicates no additional parking will be provided at this time. The Code of Ordinances requires entertainment event, major to provide 1 parking space per 3-person capacity based on ICC occupant load. The flexibility of the existing building means the area could be occupied in a multitude of alternatives. Thus, the space is calculated as an assembly without fixed seats – concentrated (chairs only – not fixed). The ICC occupant load is calculated at a rate of 7 square feet per 1 person in largest area for assembly for proposed seating. The flexibility and size of the building for holding events complicates the number of occupants the building can accommodate, but the building has other limiting factors including restrooms, emergency access and parking. Based on the ICC calculations for occupancy the building was designed to have a maximum occupant load of 1,383 people.

Staff is recommending basing the approval of the size of events based on the available parking spaces on-site. There are 431 parking spaces on the site; this would amount to an occupancy load of 1,293 people, calculated according to 1 parking space per 3-person capacity based on ICC occupant load. Because of the additional area in the building to

have more people in the building than parking, staff recommends a condition be placed on the approval that the occupancy of the public assembly use of Gateway Classic Cars shall not exceed the parking provided on the property.

Staff would recommend that any event in which the expected attendance is less than 1,200 people and the entire event is located within the confines of the building be permitted without additional approval from the City. When an event is expected to exceed 1,200 people or the event will require areas of existing parking to be used for the event, additional approval, such as a Special Event is required to ensure the event is coordinated with the surrounding businesses and the City. This will ensure adequate parking is provided at an off-site location with transportation to Gateway Classic Cars and the public safety is ensured.

Sidewalks: The site was developed with sidewalks along Central Park Drive.

Landscaping and Buffer Requirements

Under the original improvements of the site, the applicant provided the required tree at 50-foot intervals around parking lot and drive aisles, as well as the required landscaping within the parking lot islands.

Additionally, the site has provided landscaping in the southeast corner consistent with the planned use approval in 2003, to help screen the apartments. No change is proposed or required.

Lighting

Parking lot lighting will remain as constructed.

Utilities and Drainage

The existing public water and sewer will remain as previously constructed. No impervious surfaces are being added; therefore no additional drainage information is required.

Signage

At this time, the applicant has not proposed any revisions to the sign package for the site.

Hours of Operation

There are no proposed limitations of the hours of operation on the site.

Review and Approval Criteria

Section 158.119 of Article 6 "Planned Uses" lists several criteria for evaluating planned uses. Evaluation of the project based on these factors is included under each criterion.

1. The criteria governing the rezoning of the property and approval of site plans, as set forth in the standards and requirements found elsewhere in the zoning code or in other applicable law,
The project meets all applicable zoning standards.
2. The physical design of the proposed plan and the manner in which said design makes adequate provisions for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space and park dedication, and furthers the amenities of light, air, recreation and visual enjoyment.
The proposed public assembly use may have an impact on traffic for some of the larger events proposed, a detailed plan for access and additional parking for large scale events (over 1,200 expected visitors) must be coordinated with the surrounding property owners and the City to reduce the impact on surrounding property owners and businesses.
3. The relationship and compatibility of the proposed plan to adjacent properties and the surrounding neighborhood.

Allowing a public assembly type use as an extension to the existing use should not negatively affect adjacent properties, so long as large scale events (over 1,200 expected visitors) are coordinated with surrounding businesses and the City.

4. The conformity with the standards and principles of the Comprehensive Plan and all other adopted regulations, including the Commercial Design Handbook dated July 6, 2009 and on file with the City Clerk. (Ord 3665; passed 5-3-10)
The proposal is consistent with the Comprehensive Plan. The building was constructed prior to the adoption of the Commercial Design Handbook.
5. The use(s) are designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
The proposed development is designed to be operated to protect the public health, safety and welfare, so long as large scale events (over 1,200 expected visitors) are coordinated with surrounding businesses and the City. .
6. An identified community need exists for the proposed use.
Yes, a community need exists for the proposed use.
7. The proposed use(s) will not impede the normal and orderly development and improvement of the surrounding property, nor impair the use, enjoyment, or value of neighboring properties.
The development will not impede the normal and orderly development and use of the surrounding property, nor will it impair the use, enjoyment, or value of neighboring properties, so long as large scale events (over 1,200 expected visitors) are coordinated with surrounding businesses and the City.
8. The degree of harmony between the architectural quality of the proposed building and the surrounding neighborhood.
The existing building will not detract from many of the structures surrounding the property.
9. The appropriateness of the minimum dimensions and areas of lots and yards set forth in the applicable zoning district regulations.
The proposed development meets the area-bulk requirements set forth in the B-1 Community Business District.

Staff Recommendation

Staff recommends approval of the use, with the following conditions:

1. The occupancy of the building shall not exceed the City's minimum parking requirements for spaces provided on the property. Based on the current parking (431 spaces) the maximum occupancy is limited to 1,293 people.
2. Any event in which the expected attendance will exceed 1,200 people, require areas of existing parking to be used for the event or otherwise meets a requirement of a Special Event as defined in Chapter 118 of the Code of Ordinances, a Special Event Permit is required.
3. No parking shall occur off-site, without a Special Event Permit issued by the City Council and without written proof provided to the city of such offsite parking arrangements.
4. No parking shall occur on Central Park Drive.

Attachments

- Attachment 1 – Project Application
- Attachment 2 – Zoning Map
- Attachment 3 – Surrounding Land Use Map
- Attachment 4 – Site Plan



O'Fallon ILLINOIS

Planned Use / Re-Zoning Application

NAME OF PROJECT: Gateway Classic Cars
ADDRESS/GENERAL LOCATION: 1237 Central Park Dr
SUBDIVISION NAME & LOT NUMBER(S): Central Park Plaza Lot 24
PARCEL NUMBER(S): 03-36.0-401-017

PLEASE CHECK THE TYPE OF APPLICATION (PLEASE CHECK ONE):
[X] PLANNED USE
[] RE-ZONING (STANDARD MAP AMENDMENT)

SUMMARY DATA (RESPOND TO ALL THAT APPLY):

PRESENT ZONING: B-1 (P) PROPOSED NUMBER OF BUILDINGS: 1
PROPOSED ZONING: B-1 (P) PROPOSED GROSS FLOOR AREA: 12
PROPOSED # OF LOTS: 1 AREA IN ACRES: 11.49
PROPOSED # OF DWELLING UNITS: NA PRESENT USE: Retail

APPLICANT INFORMATION:

NAME: Sal Akbani
COMPANY: Fairmont Venture Partners LLC
ADDRESS: 1237 Central Park Dr
O'Fallon, IL 62269
PHONE: 618-271-3000
FAX: 618-271-3019
EMAIL: Sal.Akbani@gmail.com

DESIGN PROFESSIONAL INFORMATION:

NAME: NA
COMPANY:
ADDRESS:
PHONE:
FAX:
EMAIL:

SIGNATURE OF APPLICANT

SIGNATURE OF DESIGN PROFESSIONAL

STAFF USE ONLY
DATE RECEIVED: 1/26/15
APPLICATION RECEIVED BY: J. Randall
APPLICATION FEE: \$250.00
PROJECT ID#: P2015-01
STAFF ASSIGNED: J. Randall
PLAN REVIEW FEE DEPOSIT REC'D: N/A
Paid 1-26-15

RECEIVED FEB 11 2015

NARRATIVE

GATEWAY CLASSIC CARS – EVENTS

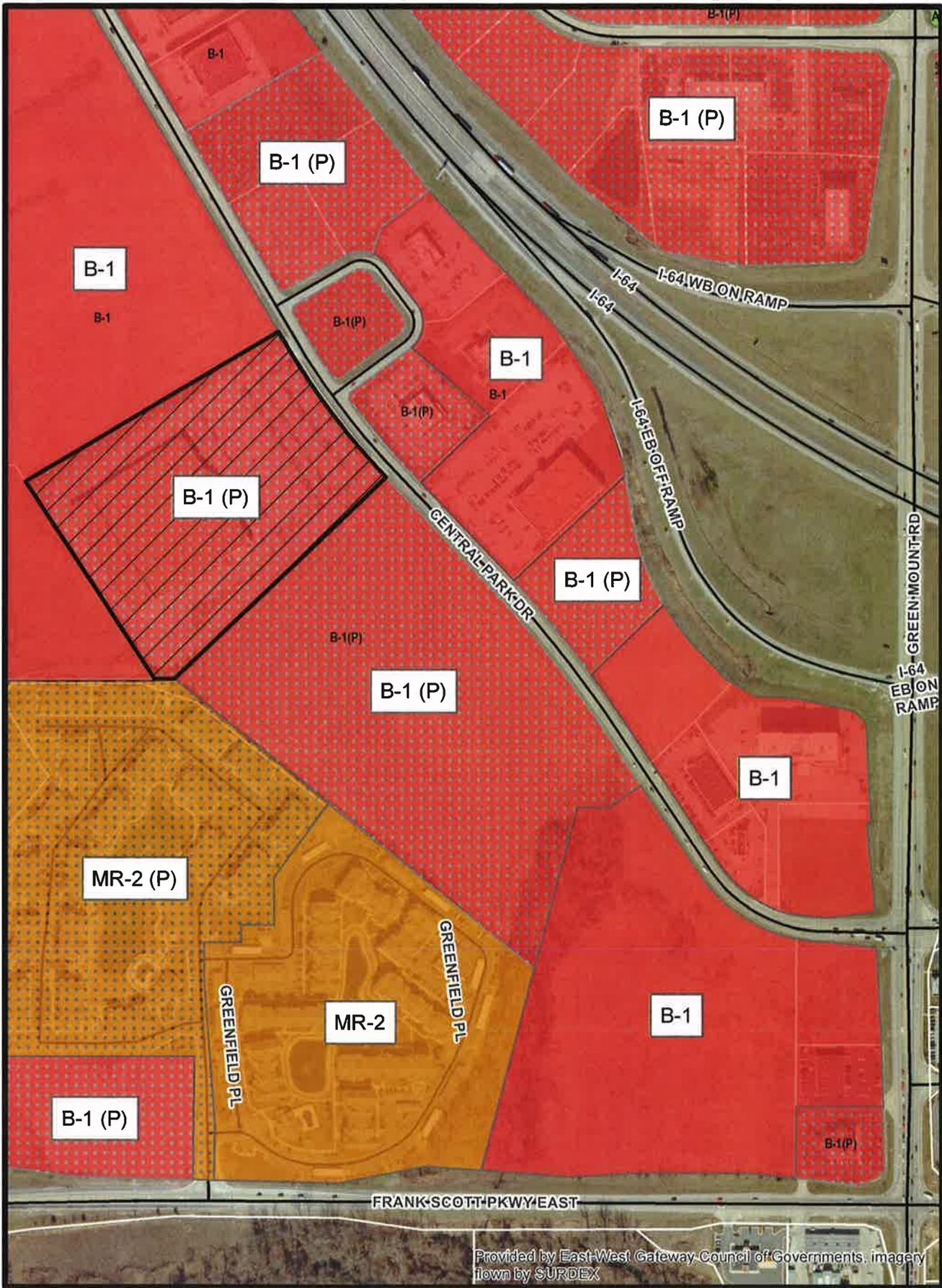
The purpose of this proposal is for an amended zoning allowance at 1237 Central Park Dr. to allow gatherings and events to take place in the existing structure, currently owned and operated by Fairmont Venture Partners, LLC. The plans for use will include, but are not limited to Automotive and Motorcycle shows, trade shows, banquets, social gatherings, and business meetings. Attendance at these events will vary between private and public, and can range from small gatherings and receptions to large shows throughout a weekend. During these times of increased attendance to the area, traffic flow will increase mainly on Central Park Dr between 1237 Central Park Dr and Greenmount Rd, but overflow from the increased traffic will also have an effect on Greenmount Rd from Highway 64 to Thouvenot Ln. On the property at 1237 Central Park, there are approximately 450 parking spaces. During some events, additional parking may be required to accommodate the attendees. As many retail businesses in the nearby area on Central Park Dr. have large parking lots, partnering with those companies to utilize the lot and providing a shuttle service to attendees, we can eliminate any potential parking issues for the events. As the structure is currently occupied by Fairmont Venture Partners, and was a retail electronic store in the past, the existing Mechanical, Electrical, and Plumbing facilities and equipment will be sufficient for the planned future events.

With additional guests attending the events at 1237 Central Park Dr, there is a great opportunity for the sales tax revenue to benefit. With two local businesses already agreeing to provide catering services for events at the proposed location, the city of O'Fallon will earn the sales tax from these events. Additionally, with guests that do not live in the local area attending the large shows, the local hotels will generate additional sales tax from room nights that potentially may never have been sold. Also, sales tax from local restaurants and filling stations will increase with the additional traffic in our community. Being such a unique facility, hosting events at Gateway Classic Cars will give O'Fallon an opportunity to capture business that otherwise might not be suited for the current meeting and convention space in the community. With a mutual respect and goal of making our community better by driving more business into it, we can partner with the existing meeting space in the community to provide more options than ever before for hosting an event in O'Fallon. As mentioned there may be events that are looking for a specific theme for their venue that cannot be provided by the current meeting space in the community. Giving a broader scope to the local event space, can and will in turn bring more guests and sales tax to the community.

In conclusion, the entire community will be benefit by allowing Events to take place at 1237 Central Park Dr. The additional sales tax revenue generated by events and attendees, for the community, will continue to keep O'Fallon at the forefront of growth in the metro east!

Received February 11, 2015

P2015-01: Gateway Classic Cars - Zoning Map



P2015-01: Gateway Classic Cars - Land Use Map



Provided by Esri
 Government, imagery
 flow by SUR GREEN MOUNT LAKES APARTMENTS



MEMORANDUM

TO: Community Development Committee
FROM: Justin Randall, Senior City Planner
THROUGH: Ted Shekell, Community Development Director
DATE: March 23, 2015
SUBJECT: Special Event Permit – “Midwest Motorcycle Expo” (MOTION)

Project Summary

Applicant: Josh Busch of Gateway Classic Cars
Event: Midwest Motorcycle Expo
Date/Time: 5:00 pm Friday, April 17th until 6:00 pm Saturday, April 18th
Location: Gateway Classic Cars - 1237 Central Park Drive

Event Details:

- Most of the event will take place indoors
- A band will be inside the building Friday night
- Motorcycle display and vendor booths will be outside
- Overflow parking will be at the “At Home” store with shuttle service provided to the event
- Estimated attendance is unknown at this point, but tickets are being sold in advance
- Alcohol will be served by Silver Creek Saloon; a Special Event Liquor License will need to be submitted
-

Signage Request:

- (1) 3' x 6' banner along Central Park
- (4) 18" x 24" signs along Central Park
- (1) Large banner on front of building
- (3) Additional signs (size TBD) listing parking locations

City Assistance Request:

- No assistance requested

Notes:

- Gateway Classic Car's staff and Shriner's organization will be assisting with parking and the traffic in and out of the event
- This is the first event of this nature at Gateway Classic Cars
- A recommendation for the Planned Use for Gateway Classic Cars requires any large event, in which expected attendance will be over 1,200, require areas of existing parking to be used for the event or otherwise meets a requirement of a Special Event as defined in Chapter 118 of the Code of Ordinance, a Special Event Permit is required.
 - This event is expected to exceed the attendance threshold

Community Development Department

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- This event will use the parking lot for vendors
- This event will have alcohol, which requires Council approval

Staff Recommendation

The Fire Department expressed concern about access to the Fire Department Connection (FDC) and sprinkler room as indicated in the conditions listed below. The Clerk's Office and Police Department had no issues with the request.

Staff recommends approval of the Special Event Permit with the following conditions:

1. Applicant must to submit a signed parking lot use agreement with At Home or another location before the City Council approves the event
2. A Special Event Liquor License will be required from the City Clerk's Office.
3. Applicant must provide emergency access to the FDC (Fire Department Connection) and sprinkler room on the south side of the building.

CITY OF O'FALLON

FEB 24 2015

DATE PAID



COMMUNITY DEVELOPMENT DEPARTMENT
255 S. Lincoln Avenue, 2nd Floor
O'Fallon, IL 62269
Ph: (618) 624-4500 x4
Fax: (618) 624-4534

Attach proof of not-for-profit status with application
OR
Provide \$50.00 application fee with application

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: Midwest Motorcycle Expo

Location of Event: Gateway Classic Cars 1237 Central Park Dr

Name of Event Organization: Entertainment Marketing Services

Name of person in charge of event (applicant) and mailing address: John Busch
1237 Central Park Dr O'Fallon, IL 62269

Phone: 618-531-6648 E-Mail: John@gatewayclassiccars.com

Secondary Contact Person: Shawn Beach

Phone: 618-726-2210 E-Mail: Shawn@GatewayClassiccars.com

Beginning Date / Times: April 17, 2015 5 PM Ending Date / Times: April 18, 2015 6 PM

THE FOLLOWING INFORMATION (WHERE APPLICABLE) MUST BE PROVIDED IN WRITTEN FORM BEFORE APPLICATION WILL BE PROCESSED.

1. NARRATIVE (Including hours of operation; activities provided; signage including dimensions, quantity, location, etc...; traffic/parking plan; contingency plans for rain; plans for toilet facilities; security plan; expected attendance; etc...).

[X] ATTACHED

2. Sketch plan of site.

[X] ATTACHED

3. Permission letter from property owner, if applicant is not the property owner.

[] ATTACHED

[X] NOT APPLICABLE

4. Proof of not-for-profit status (so that application fee can be waived.)

[] ATTACHED

[X] NOT APPLICABLE

5. Proof of Liability Insurance should be provided and if event is held City property, City of O'Fallon, should be named as an additional insured in the amount of One Million Dollars (\$1,000,000).

[] ATTACHED

[X] NOT APPLICABLE

6. Damage bonds or cash deposit to protect City facilities (this would be mainly for out-of-town sponsors) in the amount of \$300,000. [] PAID [X] NOT APPLICABLE

7. Liquor license information for beer sales (including hours of sale): Handled by Silver Creek Saloon
(Attach release/indemnification forms and a copy of the liquor license and certificate of liquor liability)

8. List for profit vendors and sales tax numbers (to verify that sales tax is collected and remitted) to be provided prior to event: will provide at a later date, once all vendors are registered

9. Special consideration requests such, as City provided assistance. (Fees may be charged for these Services.) **Please include specific considerations requested in narrative or as an attachment.**

- NONE REQUESTED
- Street Department, IDOT (for street closings, signalization, and detour routes)
- Parks Department Police Department Fire and EMS Department

10. Coordinate all food concessions with St. Clair County Health Department at (618)233-7769.

- PERMIT REQUIRED (please attach copy)
- NOT APPLICABLE

11. American Disability Compliance

- ATTACHED
- NOT APPLICABLE

As part of the approval of this Special Event Permit, temporary signs for said Special Event shall be permitted as provided for in the City Sign Ordinance or as otherwise approved by the City Council.

Electrical inspections are required for all new exterior electrical connections. The City electrical inspector must be contacted a minimum of twenty-four (24) hours prior to inspection.

Signature of Applicant/ person in charge of event

2/24/15
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? () YES NO gr

ADMINISTRATIVE APPROVAL CONDITIONS:

APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR & DATE _____

All other requests for "Special Events Permits" not approved by the Community Development Director shall go before the Community Development Committee and the City Council for their approval.

APPROVED: CITY COUNCIL _____ (DATE)



1237 Central Park Dr.
O'Fallon, IL 62269
618-531-6648

Dear City of O'Fallon,

Gateway Classic Cars is applying for a special Event Permit for the Midwest Motorcycle Expo. The event will begin on April 17 at 5 PM and will end at 6 PM on April 18. Tickets will be collected at the front doors of the building. A portion of the proceeds from this show will be donated to the Shriner's Hospital for Children. There will be a band on Friday Night, inside the building, vendor booths will be selling merchandise from 5-9 PM on Friday and from 9 AM- 6 PM on Saturday. There will also be educational seminars inside the building throughout the show. Traffic may be increased on Central Park Dr. Parking will be available in the parking lot at Gateway Classic Cars as well as the At Home Store and The Regency Conference Center. Gateway Classic Cars staff will be on hand all weekend as well as assistance from the Shriner's organization. Attendance is unknown, but we are pre-selling tickets, information will become more available as the event approaches. Some vendors will utilize the parking area on the Southwest corner of the property, but most of the event will be indoors.

Signage will be as follows:

- (1) 3'x6' Banner along Central Park
- (4) 18"x24" signs along Central Park
- (1) Large Banner on front of building
- (3) Additional Signs (size TBD) listing parking locations

Alcohol will be served by Silver Creek Saloon. Their permits will be provided at a later date. Food vendor permits will be submitted once the food vendors are committed. We are still waiting on paperwork from these providers.

If you have any additional questions, please contact John Busch at 618-581-6648.

Sincerely,

John Busch
Event Coordinator
Gateway Classic Cars
& Entertainment Marketing Services
618-531-6648

Central Park Dr

Traffic

Entrance

Traffic
Exit



Front sidewalk + Landscaping

Midwest
Motorcycle
Expp

Building

Vendors

Landscape

+ Show Exhibits

Parking Lot Use Agreement

This agreement between Entertainment Marketing Services and At Home O'Fallon, IL is in place for the use of a portion of the parking lot, designated below, for the Midwest Motorcycle Expo 2015 on April 17 and 18, 2015.

At Home O'Fallon, IL agrees to allow attendees of the Midwest Motorcycle Expo 2015 to use their parking lot for parking of vehicles. At Home O'Fallon, IL will work with the Event Organizers to designate which areas, entrances, and exits are to be used by attendees.

Entertainment Marketing Services agrees to have signage directing traffic to the At Home O'Fallon, IL parking lot and also have buses shuttling attendees to and from the event.

Attendees will park at their own risk. Neither party shall be responsible for damage to any attendee's vehicle, whether or not such damage is caused by other vehicle(s) or person(s) in the parking lot and surrounding area. Neither party shall be responsible for items or possession left in attendee's vehicle.

On behalf of At Home O'Fallon, IL

On Behalf of Entertainment Marketing Services:

Signed: _____

Signed: _____

Date: _____

Date: _____



M E M O R A N D U M

TO: Community Development Committee
FROM: Anne Stevenson, Assistant City Planner
THRU: Ted Shekell, Planning Director
DATE: March 23, 2015
SUBJECT: Special Event Permits – Global Brew (MOTIONS)

Background:

- Applicant: Global Brew
- Special Event Permit requests for the following events:
 - Crawfish Boil
 - Saturday, June 20th from 11:00 am to 11:59 pm
 - Location: 455 B Regency Park
 - Event will utilize 5 parking spots in the rear of the building for extra seating and a beer trailer
 - Fire lane access will be maintained (as shown on the attached site plan)
 - Expected attendance of approximately 500 throughout the day
 - Live music will be outside, weather permitting
 - A Special Event Liquor License must be submitted to the City Clerk
 - This is a new event.
 - Founders All Day Fest
 - Friday, August 14th from 1:00 pm to 11:59 pm
 - Location: 455 B Regency Park
 - Event consistent with previous years
 - Event will utilize 5 parking spots in the rear of the building for extra seating and a beer trailer
 - Fire lane access will be maintained (as shown on the attached site plan)
 - Expected attendance of approximately 500 throughout the day
 - Live music will be outside, weather permitting
 - A Special Event Liquor License must be submitted to the City Clerk
 - Global Brew Craft Beer Bash
 - Saturday, September 12th from 11:00 am to 8:00 pm
 - Location: O'Fallon Community Park
 - Live music, food sales, beer sales, t-shirt and other vendors
 - Expected attendance of approximately 3,000 people throughout the day
 - Existing park restroom facilities will be used in addition to port-a-johns
 - Local law enforcement will be enlisted in addition to the event staff and volunteers
 - Event consistent with previous year

Community Development Department
255 South Lincoln Avenue O'Fallon, IL 62269 ♦ P: 618.624.4500 x 4 ♦ F: 618.624.4534

- A Special Event Liquor License must be submitted to the City Clerk
- Global Brew Oktoberfest & Fun Run
 - Saturday, September 19th from 11:00 am to 11:59 pm
 - Location: 455 B Regency Park
 - Event consistent with previous years
 - Event will utilize 5 parking spots in the rear of the building for extra seating and a beer trailer
 - Fire lane access will be maintained (as shown on the attached site plan)
 - 2 mile fun run begins at 3:00 pm and ends at 4:00 pm with route along Regency Park Drive (see attached map) overseen by Rich Luers at Final Lap Racing
 - No street closures or city assistance requested for the fun run
 - Expected attendance of approximately 400 throughout the day
 - Live music will be outside, weather permitting
 - A Special Event Liquor License must be submitted to the City Clerk

Staff Recommendation: The Fire, Police and Parks and Recreation Departments have reviewed the Special Event Permit requests for the events with no issues. Staff recommends approval of all events, with the following conditions:

1. Special Event Liquor License must be submitted for each event to the City Clerk
2. Provide a list of vendors and their sales tax numbers prior to the event
3. All fees associated the Police Department for assisting in providing security at the Global Brew Craft Beer Bash shall be paid prior to the event
4. All fees associated with the Parks and Recreation Department for use of Community Park shall be paid after the event.

PD _____
FD _____
Clerk _____



COMMUNITY DEVELOPMENT DEPARTMENT
255 S. Lincoln Avenue, 2nd Floor
O'Fallon, IL 62269
Ph: (618) 624-4500 x4
Fax: (618) 624-4534

Attach proof of not-for-profit status with application

OR

Provide \$50.00 application fee with application

BUILDING DEPARTMENT ORIGINAL

RECEIVED MAR 11 2015

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: Crawfish Boil

Location of Event: 455-B Regency Park, O'Fallon IL 62269

Name of Event Organization: Global Brew Tap House

Name of person in charge of event (applicant) and mailing address: Lauren Vardaman
455-B Regency Park, O'Fallon IL 62269

Phone: (618) 789-1241 E-Mail: laurenv@globalbrew.com

Secondary Contact Person: Chelsea Pinkel

Phone: (618) 719-7771 E-Mail: chelseap@globalbrew.com

Beginning Date / Times: 06/20/2015 11:00a Ending Date / Times: 06/20/2015 / 11:59p

THE FOLLOWING INFORMATION (WHERE APPLICABLE) MUST BE PROVIDED IN WRITTEN FORM BEFORE APPLICATION WILL BE PROCESSED.

- NARRATIVE** (Including hours of operation; activities provided; signage including dimensions, quantity, location, etc...; traffic/parking plan; contingency plans for rain; plans for toilet facilities; security plan; expected attendance; etc...).
- ATTACHED
- Sketch plan of site.
- ATTACHED
- Permission letter from property owner, if applicant is not the property owner.
- ATTACHED NOT APPLICABLE
- Proof of not-for-profit status (so that application fee can be waived.)
- ATTACHED NOT APPLICABLE
- Proof of Liability Insurance should be provided and if event is held City property, **City of O'Fallon**, should be named as an additional insured in the amount of One Million Dollars (\$1,000,000).
- ATTACHED NOT APPLICABLE
- Damage bonds or cash deposit to protect City facilities (this would be mainly for out-of-town sponsors) in the amount of \$300,000. PAID NOT APPLICABLE

→ includes 8/14 and 10/3 events we
(liquor liab)
to be provided by 3/12 we

7. Liquor license information for beer sales (including hours of sale): attached
(Attach release/indemnification forms and a copy of the liquor license and certificate of liquor liability)

8. List for profit vendors and sales tax numbers (to verify that sales tax is collected and remitted) to be provided prior to event: _____

Global Brew Tap House & Lounge 4005-6023

9. Special consideration requests such, as City provided assistance. (Fees may be charged for these Services.) **Please include specific considerations requested in narrative or as an attachment.**

NONE REQUESTED

Street Department, IDOT (for street closings, signalization, and detour routes)

Parks Department

Police Department

Fire and EMS Department

10. Coordinate all food concessions with St. Clair County Health Department at (618)233-7769.

PERMIT REQUIRED (please attach copy)

NOT APPLICABLE

11. American Disability Compliance

ATTACHED

NOT APPLICABLE

As part of the approval of this Special Event Permit, temporary signs for said Special Event shall be permitted as provided for in the City Sign Ordinance or as otherwise approved by the City Council.

Electrical inspections are required for all new exterior electrical connections. The City electrical inspector must be contacted a minimum of twenty-four (24) hours prior to inspection.

Lauren Vardaman
Signature of Applicant/ person in charge of event

10 March 2015
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? () YES NO

AR 3/11/15

ADMINISTRATIVE APPROVAL CONDITIONS:

APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR & DATE _____

All other requests for "Special Events Permits" not approved by the Community Development Director shall go before the Community Development Committee and the City Council for their approval.

APPROVED: CITY COUNCIL _____ (DATE)

NARRATIVE

Please include:

- hours of operation
- activities provided
- signage
 - dimensions,
 - quantity,
 - location, etc...
- traffic/parking plan
- contingency plans for rain
- plans for toilet facilities
- security plan
- expected attendance
- Any additional helpful information

Narrative:

Hours of operation - 11:00 am through 11:59pm

Activities provided - live music, beer sales

Signage- none

Traffic/Parking plan - our existing parking lot

Contingency plans for rain - move customers inside Global Brew

Plans for toilet facilities - the existing facilities inside Global Brew

Security plan - additional staff members on site

Expected attendance - 500 people, not all at once

Additional information - none

Letter ID: L0501901792



STATE OF ILLINOIS
LIQUOR CONTROL COMMISSION
Governor Pat Quinn

1A-0105006

License Number

IN ACCORDANCE WITH THE LIQUOR CONTROL
ACT OF 1934, THIS CERTIFIES THAT:

GLOBAL BREW INC
GLOBAL BREW TAP HOUSE & LOUNGE
455 REGENCY PARK
STE B
O FALLON IL 62269-1998

St. Clair

HAS PAID ALL FEES
AND IS ISSUED A
LICENSE IN THE
FOLLOWING CLASS:

RETAILER
COMBINED

ISSUE DATE: 04/29/14 Effective: 05/01/14

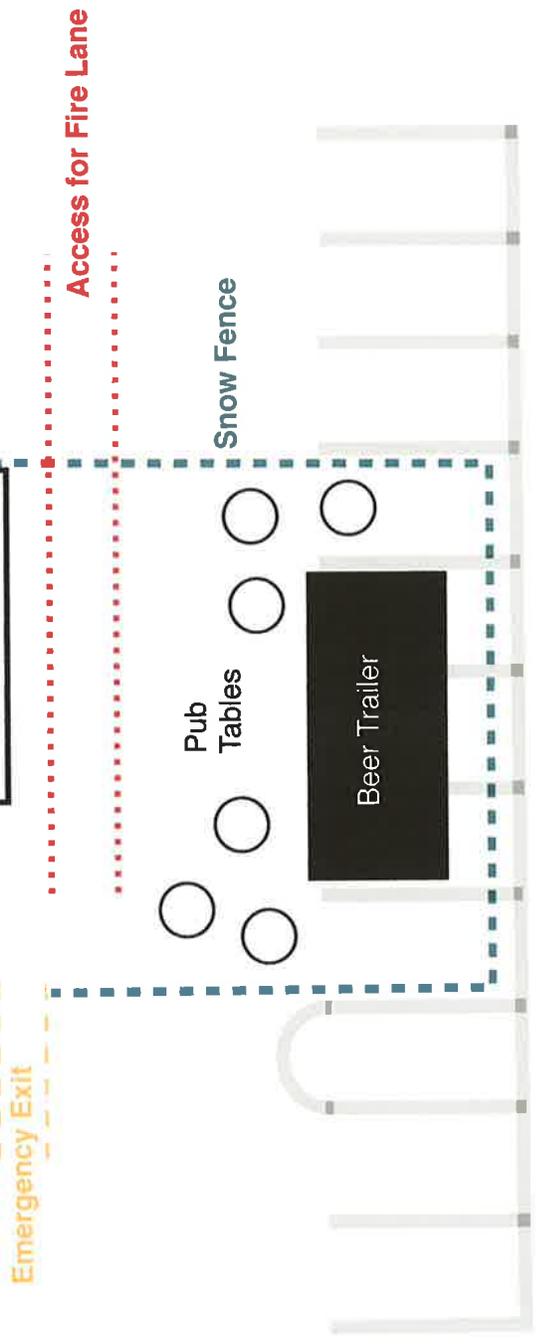
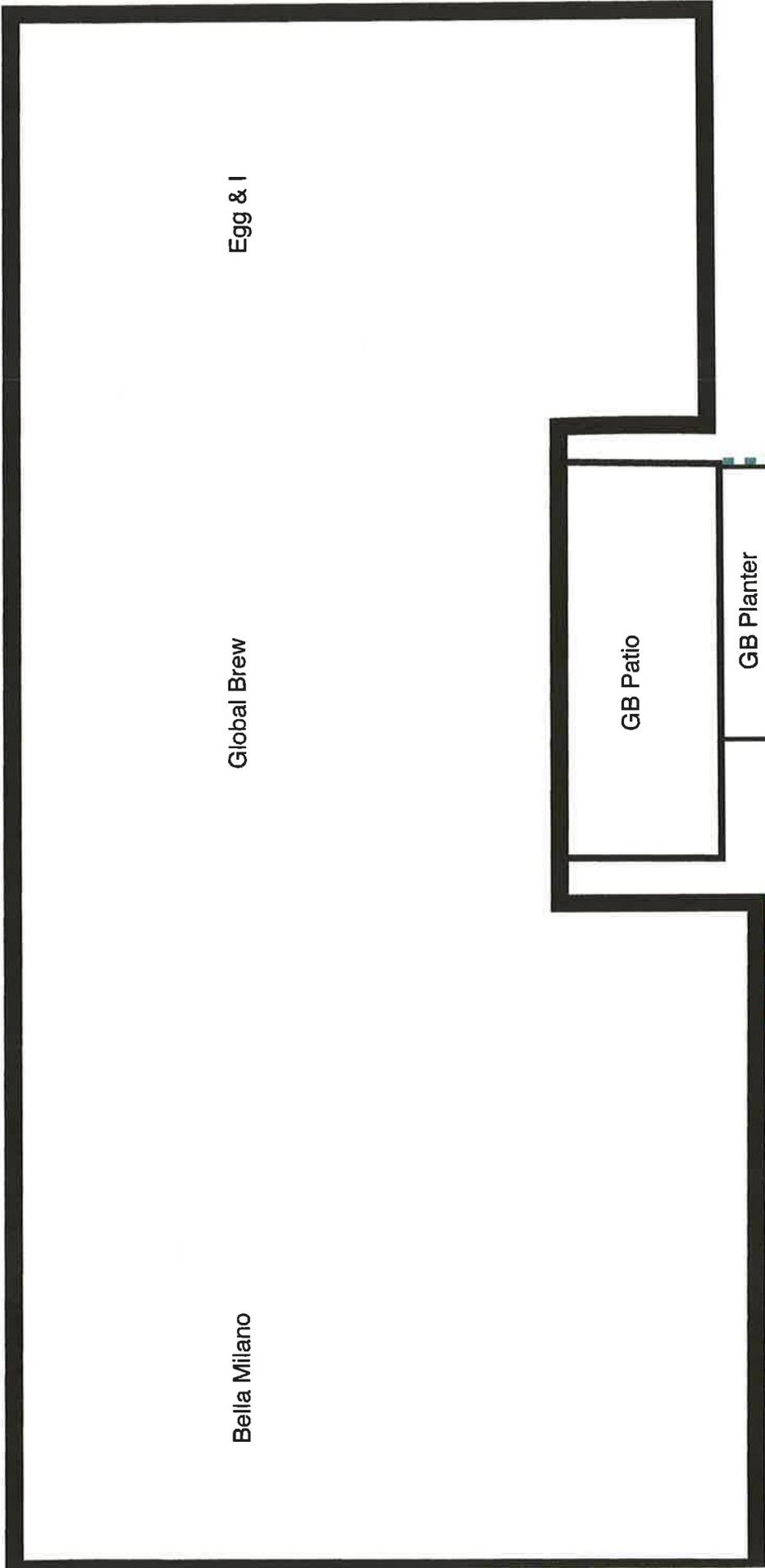
THIS LICENSE
EXPIRES ON: 04/30/15

THIS LICENSE MUST BE FRAMED AND HUNG IN PLAIN VIEW
IN A CONSPICUOUS PLACE ON THE LICENSED PREMISES.

Warehouse: N/A

Sales Tax Acct # 40056023

THIS LICENSE NOT TRANSFERABLE
AS TO PRINCIPAL



January 27, 2015

Global Brew has been given permission to hold outdoor events in the back parking lot at their facility at 455-B Regency Park Drive on the following dates:

Saturday, June 20th
Friday, August 14th
Saturday, October 3rd

Sincerely,



Terry Johnson, Landlord

455 Regency Partners

(618) 977-8367

GLOBAL BREW FRANCHISING INC. / 455(B) REGENCY PARK DRIVE / O'FALLON, IL 62269

☎ 866.336.2739 | ✉ INFO@GLOBALBREW.COM | www.globalbrew.com

GLOBAL COORDINATES | 38° latitude 89° longitude | believe in GOOD BEER.



PD —
FD —
Clerk —



COMMUNITY DEVELOPMENT DEPARTMENT
255 S. Lincoln Avenue, 2nd Floor
O'Fallon, IL 62269
Ph: (618) 624-4500 x4
Fax: (618) 624-4534

Attach proof of not-for-profit status with application
OR
 Provide \$50.00 application fee with application



RECEIVED MAR 11 2015

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: Founders All Day Fest
Location of Event: 455-B Regency Park, O'Fallon IL 62269
Name of Event Organization: Global Brew Tap House
Name of person in charge of event (applicant) and mailing address: Lauren Vardaman
455-B Regency Park, O'Fallon IL 62269
Phone: (618) 789-1241 E-Mail: laurenv@globalbrew.com
Secondary Contact Person: Chelsea Pinkel
Phone: (618) 719-7771 E-Mail: chelseap@globalbrew.com
Beginning Date / Times: 08/14/2015 1:00p Ending Date / Times: 08/14/2015 / 11:59p

THE FOLLOWING INFORMATION (WHERE APPLICABLE) MUST BE PROVIDED IN WRITTEN FORM BEFORE APPLICATION WILL BE PROCESSED.

1. **NARRATIVE** (Including hours of operation; activities provided; signage including dimensions, quantity, location, etc...; traffic/parking plan; contingency plans for rain; plans for toilet facilities; security plan; expected attendance; etc...).

ATTACHED

2. Sketch plan of site.

ATTACHED

3. Permission letter from property owner, if applicant is not the property owner.

ATTACHED

NOT APPLICABLE

(attached to Crawfish Boil file)

4. Proof of not-for-profit status (so that application fee can be waived.)

ATTACHED

NOT APPLICABLE

5. Proof of Liability Insurance should be provided and if event is held City property, **City of O'Fallon**, should be named as an additional insured in the amount of One Million Dollars (\$1,000,000).

ATTACHED

NOT APPLICABLE

(for liquor liab)

6. Damage bonds or cash deposit to protect City facilities (this would be mainly for out-of-town sponsors) in the amount of \$300,000. PAID NOT APPLICABLE

- needs to be renewed after 4/30/15

7. Liquor license information for beer sales (including hours of sale): attached
(Attach release/indemnification forms and a copy of the liquor license and certificate of liquor liability)

8. List for profit vendors and sales tax numbers (to verify that sales tax is collected and remitted) to be provided prior to event: _____

Global Brew Tap House & Lounge 4005-6023

9. Special consideration requests such, as City provided assistance. (Fees may be charged for these Services.) **Please include specific considerations requested in narrative or as an attachment.**

NONE REQUESTED

Street Department, IDOT (for street closings, signalization, and detour routes)

Parks Department

Police Department

Fire and EMS Department

10. Coordinate all food concessions with St. Clair County Health Department at (618)233-7769.

PERMIT REQUIRED (please attach copy)

NOT APPLICABLE

11. American Disability Compliance

ATTACHED

NOT APPLICABLE

As part of the approval of this Special Event Permit, temporary signs for said Special Event shall be permitted as provided for in the City Sign Ordinance or as otherwise approved by the City Council.

Electrical inspections are required for all new exterior electrical connections. The City electrical inspector must be contacted a minimum of twenty-four (24) hours prior to inspection.

Lauren Vardaman
Signature of Applicant/ person in charge of event

12 February 2015
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? () YES (X) NO

APR 3/10/15

ADMINISTRATIVE APPROVAL CONDITIONS:

APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR & DATE _____

All other requests for "Special Events Permits" not approved by the Community Development Director shall go before the Community Development Committee and the City Council for their approval.

APPROVED: CITY COUNCIL _____ (DATE)

NARRATIVE

Please include:

- hours of operation
- activities provided
- signage
 - dimensions,
 - quantity,
 - location, etc...
- traffic/parking plan
- contingency plans for rain
- plans for toilet facilities
- security plan
- expected attendance
- Any additional helpful information

Narrative:

Hours of operation - 1:00 pm through 11:59pm

Activities provided - live music, beer sales

Signage- none

Traffic/Parking plan - our existing parking lot

Contingency plans for rain - move customers inside Global Brew

Plans for toilet facilities - the existing facilities inside Global Brew

Security plan - additional staff members on site

Expected attendance - 500 people, not all at once

Additional information - none

Letter ID:L0501901792



STATE OF ILLINOIS
LIQUOR CONTROL COMMISSION
Governor Pat Quinn

1A-0105006
License Number

IN ACCORDANCE WITH THE LIQUOR CONTROL ACT OF 1934, THIS CERTIFIES THAT:

GLOBAL BREW INC
GLOBAL BREW TAP HOUSE & LOUNGE
455 REGENCY PARK
STE B
O FALLON IL 62269-1998

St. Clair

HAS PAID ALL FEES AND IS ISSUED A LICENSE IN THE FOLLOWING CLASS:	04/29/14	Effective:	05/01/14
	04/30/15	THIS LICENSE EXPIRES ON:	

THIS LICENSE NOT TRANSFERABLE AS TO PRINCIPAL

Sales Tax Acct # 40056023

THIS LICENSE MUST BE FRAMED AND HUNG IN PLAIN VIEW IN A CONSPICUOUS PLACE ON THE LICENSED PREMISES.

Warehouse: N/A

Bella Milano

Global Brew

Egg & I

GB Patio

GB Planter

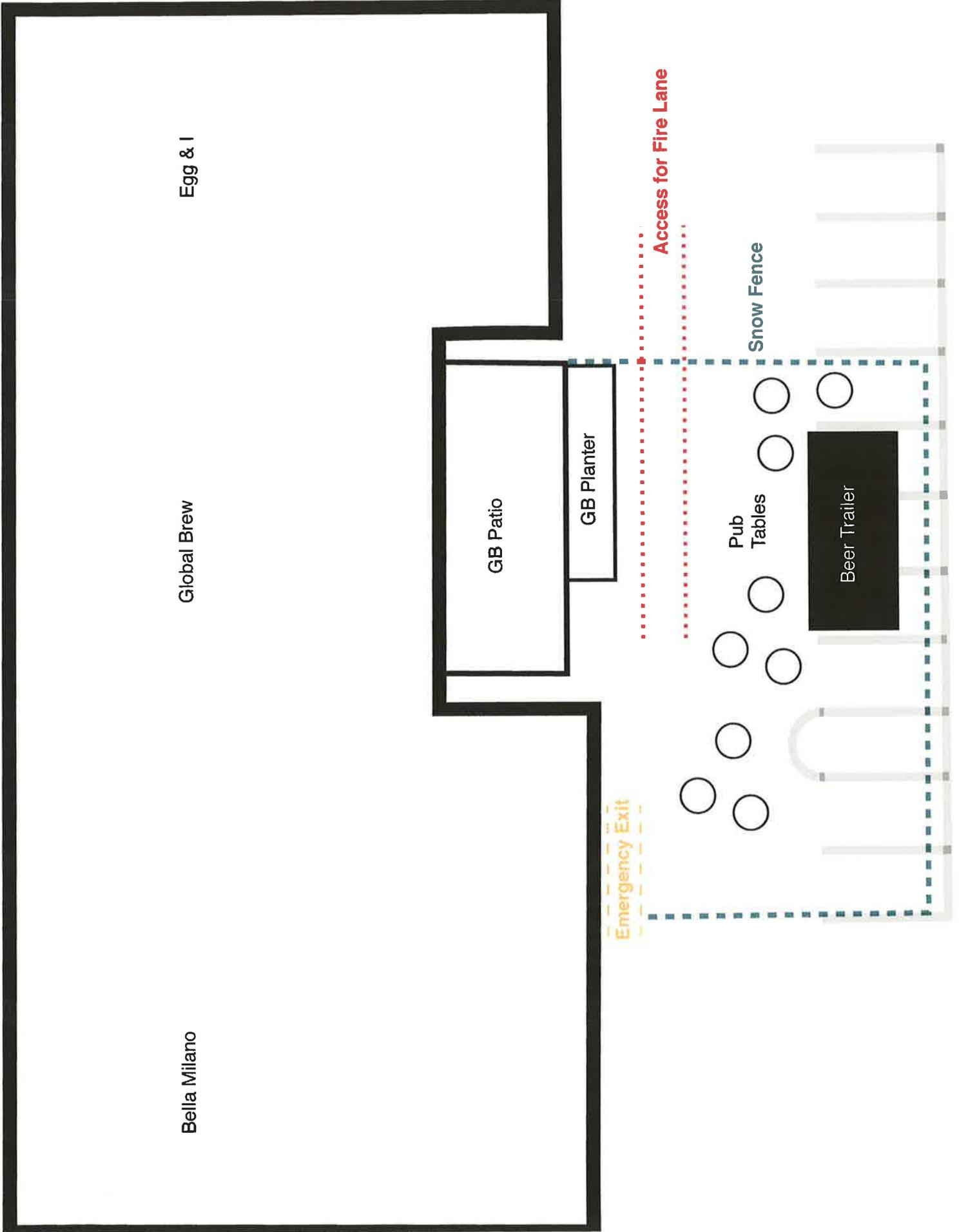
Emergency Exit

Access for Fire Lane

Pub
Tables

Snow Fence

Beer Trailer



PD _____
FD _____
P+R _____
Clerk _____
PW _____



COMMUNITY DEVELOPMENT DEPARTMENT
255 S. Lincoln Avenue, 2nd Floor
O'Fallon, IL 62269
Ph: (618) 624-4500 x4
Fax: (618) 624-4534

Attach proof of not-for-profit status with application

OR

Provide \$50.00 application fee with application

BUILDING DEPARTMENT ORIGINAL

APPLICATION FOR A SPECIAL EVENT PERMIT

RECEIVED MAR 11 2015

Event Name: Global Brew Craft Beer Bash

Location of Event: O'Fallon Community Park

Name of Event Organization: Global Brew Tap House

Name of person in charge of event (applicant) and mailing address: Ryan High
455-B Regency Park, O'Fallon IL, 62269

Phone: (618) 889-1777 E-Mail: ryanh@globalbrew.com

Secondary Contact Person: Lauren Vardaman / Chelsea Pinkel

Phone: (618) 789-1241 E-Mail: laurenv@globalbrew.com

Beginning Date / Times: 09/12/2015 11:00am Ending Date / Times: 09/12/2015 8:00pm

THE FOLLOWING INFORMATION (WHERE APPLICABLE) MUST BE PROVIDED IN WRITTEN FORM BEFORE APPLICATION WILL BE PROCESSED.

- NARRATIVE** (Including hours of operation; activities provided; signage including dimensions, quantity, location, etc...; traffic/parking plan; contingency plans for rain; plans for toilet facilities; security plan; expected attendance; etc...)
 ATTACHED
- Sketch plan of site.
 ATTACHED
- Permission letter from property owner, if applicant is not the property owner
 ATTACHED NOT APPLICABLE
- Proof of not-for-profit status (so that application fee can be waived.)
 ATTACHED NOT APPLICABLE
- Proof of Liability Insurance should be provided and if event is held City property, **City of O'Fallon**, should be named as an additional insured in the amount of One Million Dollars (\$1,000,000).
 ATTACHED NOT APPLICABLE (for liquor liab., also)
- Damage bonds or cash deposit to protect City facilities (this would be mainly for out-of-town sponsors) in the amount of \$300,000. PAID NOT APPLICABLE

**needs to be renewed after 4/30/15*

7. Liquor license information for beer sales (including hours of sale): attached
(Attach release/indemnification forms and a copy of the liquor license and certificate of liquor liability)

8. List for profit vendors and sales tax numbers (to verify that sales tax is collected and remitted) to be provided prior to event: _____

Global Brew Tap House & Lounge 4005-6023, Food Vendors still being determined

9. Special consideration requests such, as City provided assistance. (Fees may be charged for these Services.) **Please include specific considerations requested in narrative or as an attachment.**

- NONE REQUESTED
- Street Department, IDOT (for street closings, signalization, and detour routes)
- Parks Department Police Department Fire and EMS Department

10. Coordinate all food concessions with St. Clair County Health Department at (618)233-7769.

- PERMIT REQUIRED (please attach copy)
- NOT APPLICABLE

11. American Disability Compliance

- ATTACHED
- NOT APPLICABLE

As part of the approval of this Special Event Permit, temporary signs for said Special Event shall be permitted as provided for in the City Sign Ordinance or as otherwise approved by the City Council.

Electrical inspections are required for all new exterior electrical connections. The City electrical inspector must be contacted a minimum of twenty-four (24) hours prior to inspection.

Lauren Vardaman
Signature of Applicant/ person in charge of event

12 February 2015
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? () YES NO *AS 3/10/15*

ADMINISTRATIVE APPROVAL CONDITIONS:

APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR & DATE _____

All other requests for "Special Events Permits" not approved by the Community Development Director shall go before the Community Development Committee and the City Council for their approval.

APPROVED: CITY COUNCIL _____ (DATE)

NARRATIVE

Please include:

- hours of operation
- activities provided
- signage
 - dimensions,
 - quantity,
 - location, etc...
- traffic/parking plan
- contingency plans for rain
- plans for toilet facilities
- security plan
- expected attendance
- Any additional helpful information

Narrative:

Hours of operation - 11:00am through 8:00pm

Activities provided - live music, food sales, beer sales, t-shirt vendors, additional vendors

Signage-

Traffic/Parking plan - local street and public parking will be utilized

Contingency plans for rain - a large tent will be provided over the grassy seating area as well as usage of the permanent pavilions in the park areas

Plans for toilet facilities - the standing facilities will be used as well as the additional port-a-johns we will rent

Security plan - local law enforcement will be enlisted in addition to the responsibilities of the event staff and volunteers

Expected attendance - approximately 3,000 people

Additional information - The inaugural Craft Beer Bash in September of 2014 was a great success and we would like to continue the fest every year; our expertise and commitment to the community aid in ensuring a smooth and beneficial event for all parties involved

Letter ID: L0501901792



STATE OF ILLINOIS
LIQUOR CONTROL COMMISSION
Governor Pat Quinn

1A-0105006

License Number

IN ACCORDANCE WITH THE LIQUOR CONTROL
ACT OF 1934, THIS CERTIFIES THAT:

GLOBAL BREW INC
GLOBAL BREW TAP HOUSE & LOUNGE
455 REGENCY PARK
STE B
O FALLON IL 62269-1998

St. Clair

HAS PAID ALL FEES
AND IS ISSUED A
LICENSE IN THE
FOLLOWING CLASS:

RETAILER
COMBINED

ISSUE DATE: 04/29/14 Effective: 05/01/14

THIS LICENSE
EXPIRES ON: 04/30/15

THIS LICENSE MUST BE FRAMED AND HUNG IN PLAIN VIEW
IN A CONSPICUOUS PLACE ON THE LICENSED PREMISES.

Sales Tax Acct # 40056023

THIS LICENSE NOT TRANSFERABLE
AS TO PRINCIPAL

Warehouse: N/A

Client#: 83072

GLOBABRE

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/15/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

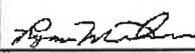
PRODUCER 28-Dimond Bros.-Edwardsville 2900 Madison Avenue Granite City, IL 62040 618 877-0388	CONTACT NAME: Tammy Daum
	PHONE (A/C, No, Ext): 618-532-5626 FAX (A/C, No): 618-532-1531
E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE	
INSURER A: Illinois Casualty Company	
INSURER B: Columbia Insurance Group	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EXCLUSION MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		BP34439	11/15/2014	11/15/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$2,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$		CAPIL0000017086	03/02/2015	03/02/2016	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	WQ990573	04/14/2014	04/14/2015	<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000
A	Liquor Liabi		LL96179	11/15/2014	11/15/2015	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Global Brew Craft Beer Bash, 308 E Fifth Street, O'Fallon IL 62269
Sep. 12, 2015
The City of O'Fallon is considered as additional insured as required by written agreement.

CERTIFICATE HOLDER City of O'Fallon 255 S Lincoln O Fallon, IL 62269	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

APPLE STREET

5TH STREET

PARK STREET

PARKVIEW DRIVE

PLAYGROUND

KCCC

FOOD VENDORS

TENTS FOR VENDORS/SPONSORS

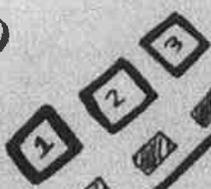
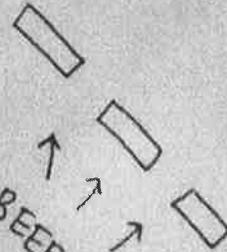


ID CHECK & TOKENS



Field #2

BEER TRUCKS/TRAILERS



ID CHECK & TOKENS

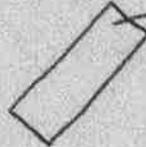
PICNIC TABLES

PAVILION #4

PORTA POTTY SETUP (10)

IDCHECK & TOKENS

MUSIC STAGE



PD _____
FD _____
Clerk _____
PW FYI _____



COMMUNITY DEVELOPMENT DEPARTMENT
255 S. Lincoln Avenue, 2nd Floor
O'Fallon, IL 62269
Ph: (618) 624-4500 x4
Fax: (618) 624-4534

Attach proof of not-for-profit status with application

OR

Provide \$50.00 application fee with application

RECEIVED MAR 11 2015

BUILDING DEPARTMENT ORIGINAL

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: Global Brew Oktoberfest (+run w)

Location of Event: 455-B Regency Park, O'Fallon IL 62269

Name of Event Organization: Global Brew Tap House

Name of person in charge of event (applicant) and mailing address: Lauren Vardaman
455-B Regency Park, O'Fallon IL 62269

Phone: (618) 789-1241 E-Mail: laurenv@globalbrew.com

Secondary Contact Person: Chelsea Pinkel

Phone: (618) 719-7771 E-Mail: chelseap@globalbrew.com

Beginning Date / Times: 09/19/2015 11:00a Ending Date / Times: 09/19/2015 11:59p

THE FOLLOWING INFORMATION (WHERE APPLICABLE) MUST BE PROVIDED IN WRITTEN FORM BEFORE APPLICATION WILL BE PROCESSED.

1. **NARRATIVE** (Including hours of operation; activities provided; signage including dimensions, quantity, location, etc...; traffic/parking plan; contingency plans for rain; plans for toilet facilities; security plan; expected attendance; etc...).

ATTACHED

2. Sketch plan of site.

ATTACHED

3. Permission letter from property owner, if applicant is not the property owner.

ATTACHED

NOT APPLICABLE

(attached to crawfish Boil app) ve

4. Proof of not-for-profit status (so that application fee can be waived.)

ATTACHED

NOT APPLICABLE

5. Proof of Liability Insurance should be provided and if event is held City property, **City of O'Fallon**, should be named as an additional insured in the amount of One Million Dollars (\$1,000,000).

ATTACHED

NOT APPLICABLE

(for liquor liab. also) ve

6. Damage bonds or cash deposit to protect City facilities (this would be mainly for out-of-town sponsors) in the amount of \$300,000. PAID NOT APPLICABLE

needs to be renewed after 4/30/15

7. Liquor license information for beer sales (including hours of sale): attached
(Attach release/indemnification forms and a copy of the liquor license and certificate of liquor liability)

8. List for profit vendors and sales tax numbers (to verify that sales tax is collected and remitted) to be provided prior to event: _____

Global Brew Tap House & Lounge 4005-6023

9. Special consideration requests such, as City provided assistance. (Fees may be charged for these Services.) **Please include specific considerations requested in narrative or as an attachment.**

NONE REQUESTED

Street Department, IDOT (for street closings, signalization, and detour routes)

Parks Department

Police Department

Fire and EMS Department

10. Coordinate all food concessions with St. Clair County Health Department at (618)233-7769.

PERMIT REQUIRED (please attach copy)

NOT APPLICABLE

11. American Disability Compliance

ATTACHED

NOT APPLICABLE

As part of the approval of this Special Event Permit, temporary signs for said Special Event shall be permitted as provided for in the City Sign Ordinance or as otherwise approved by the City Council.

Electrical inspections are required for all new exterior electrical connections. The City electrical inspector must be contacted a minimum of twenty-four (24) hours prior to inspection.

Lauren Vardaman
Signature of Applicant/ person in charge of event

12 February 2015
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? () YES (X) NO

APR 31/15

ADMINISTRATIVE APPROVAL CONDITIONS:

APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR & DATE _____

All other requests for "Special Events Permits" not approved by the Community Development Director shall go before the Community Development Committee and the City Council for their approval.

APPROVED: CITY COUNCIL _____ (DATE)

NARRATIVE

Please include:

- hours of operation
- activities provided
- signage
 - dimensions,
 - quantity,
 - location, etc...
- traffic/parking plan
- contingency plans for rain
- plans for toilet facilities
- security plan
- expected attendance
- Any additional helpful information

Narrative:

Hours of operation - 11:00am through 11:59pm

Activities provided - live music, German food, beer trailer, fun run (route attached)

Signage- none

↳ Race begins : 3:00 PM
Race ends: 4:00 PM

Traffic/Parking plan - our existing parking lot

Contingency plans for rain - move customers inside Global Brew

Plans for toilet facilities - the existing facilities inside Global Brew

Security plan - additional staff members on site

Expected attendance - 400 people, not all at once

Additional information - Food will be provided by a local, outside vendor that will fulfill all necessary additional permits. Fun Run organized and directed by Rich Luers at Final Lap Racing (finalapacing.com)

Letter ID: L0501901792



STATE OF ILLINOIS
LIQUOR CONTROL COMMISSION
Governor Pat Quinn

1A-0105006
License Number

IN ACCORDANCE WITH THE LIQUOR CONTROL
ACT OF 1934, THIS CERTIFIES THAT:

GLOBAL BREW INC
GLOBAL BREW TAP HOUSE & LOUNGE
455 REGENCY PARK
STE B
O FALLON IL 62269-1998
St. Clair

HAS PAID ALL FEES
AND IS ISSUED A
LICENSE IN THE
FOLLOWING CLASS:

RETAILER
COMBINED

ISSUE DATE: 04/29/14 Effective: 05/01/14

THIS LICENSE
EXPIRES ON: 04/30/15

THIS LICENSE NOT TRANSFERABLE
AS TO PRINCIPAL

Sales Tax Acct # 40056023

THIS LICENSE MUST BE FRAMED AND HUNG IN PLAIN VIEW
IN A CONSPICUOUS PLACE ON THE LICENSED PREMISES.

Warehouse: N/A

Client#: 83072

GLOBABRE

ACORDTM

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/15/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER 28-Diamond Bros.-Edwardsville 2900 Madison Avenue Granite City, IL 62040 618 877-0388	CONTACT NAME: Tammy Daum
	PHONE (A/C, No, Ext): 618-532-5626 FAX (A/C, No): 618-532-1531
INSURED Global Brew Inc. 455B Regency Park O'Fallon, IL 62269	E-MAIL ADDRESS:
	INSURER(S) AFFORDING COVERAGE
	INSURER A: Illinois Casualty Company
	INSURER B: Columbia Insurance Group
	INSURER C:
	INSURER D:
INSURER E:	
INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVO	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		BP34439	11/15/2014	11/15/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$2,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		CAPIL0000017086	03/02/2015	03/02/2016	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$					OCCUR CLAIMS-MADE \$ \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y N/A	WQ990573	04/14/2014	04/14/2015	WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000
A	Liquor Liab		LL96179	11/15/2014	11/15/2015	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Global Brew Oktoberfest, 455B Regency Park, O'Fallon IL 62269
Oct. 3, 2015
 The City of O'Fallon is considered as additional insured as required by written agreement.

CERTIFICATE HOLDER City of O'Fallon 255 S Lincoln O Fallon, IL 62269	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Bella Milano

Global Brew

Egg & I

GB Patio

GB Planter

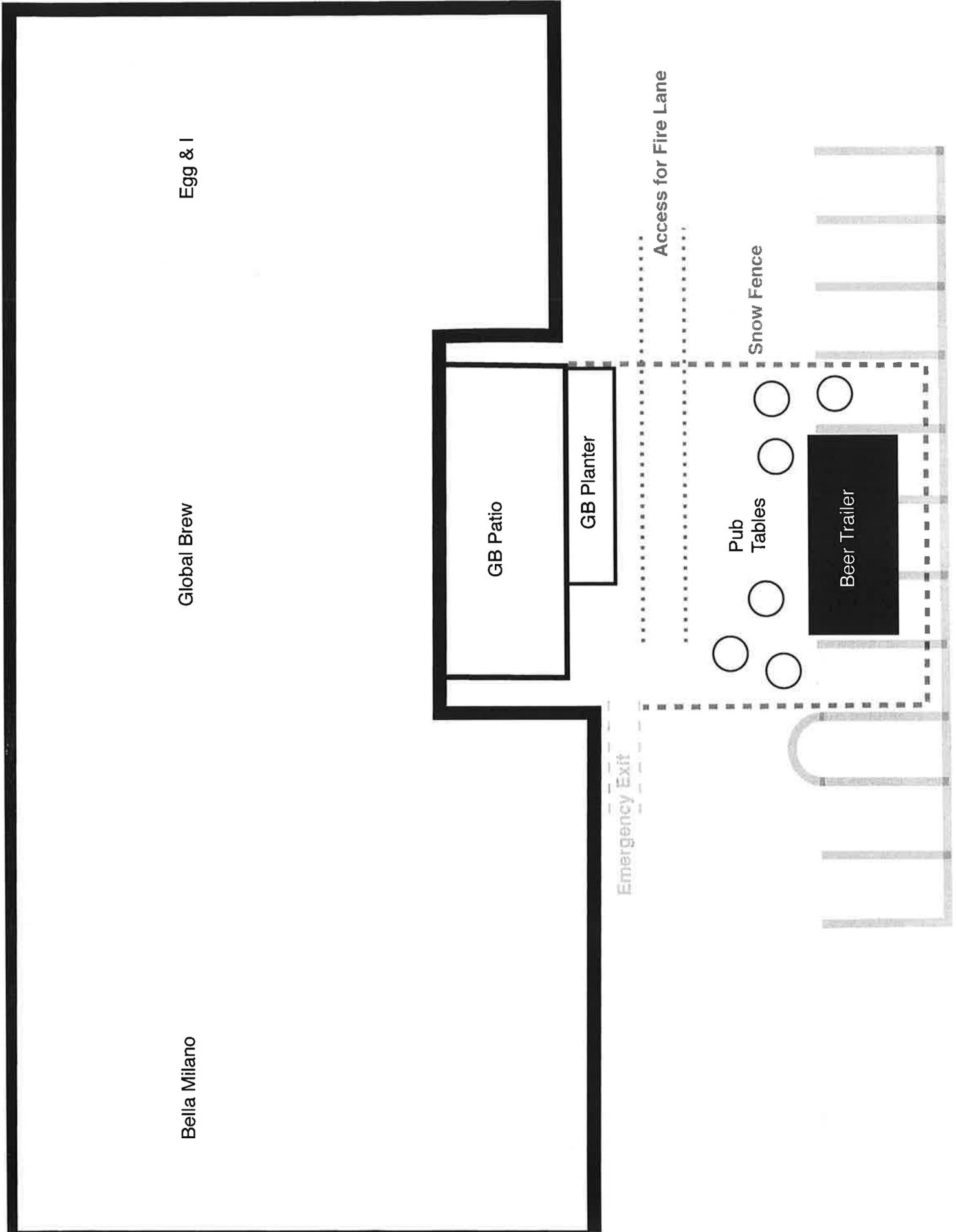
Emergency Exit

Access for Fire Lane

Pub
Tables

Snow Fence

Beer Trailer





MEMORANDUM

TO: Community Development Committee
FROM: Justin Randall, Senior City Planner
THRU: Ted Shekell, Planning Director
DATE: March 23, 2015
SUBJECT: Special Event Permit –Temporary Mobile Units for Summer Camp Program (MOTION)

Project Summary

- Applicant: Kila Lindstrom for O'Fallon YMCA (284 North Seven Hills Rd)
- Special Event Permit for two, 12' x 56' mobile units for summer day camp program
- Duration of Event: May 18th - August 21st, hours 9:00 AM to 4:00 PM
- No more than 30 kids permitted for each mobile unit.
- Mobile units will utilize restrooms located in the Y and the pavilion.
- Each mobile unit will sit on the parking lot and occupy 13 parking spaces.
- In times of severe weather, kids will be moved with their counselors into the Y building.
- ADA ramps will be utilized to meet accessibility requirements.
- No City provided assistance is requested.

Staff Recommendation: The application is consistent with past approvals. The Police Department recommended approval of the request and the Fire Department approved with conditions. Staff recommends approval of the Special Event Permit with the following conditions:

- 1) The mobile units siting and placement must meet the provisions of the City Building Code, which include wind load anchorage, and the Illinois Accessibility Code. An electrical inspection shall be scheduled with the City for connection to nearby electrical source.
- 2) Fire Department must be notified when inspection of the temporary classroom is complete and date of occupancy

RECEIVED MAR 1 2 2015



Attach proof of not-for-profit status with application

OR

Provide \$50.00 application fee with application



COMMUNITY DEVELOPMENT DEPARTMENT
 255 S. Lincoln Avenue, 2nd Floor
 O'Fallon, IL 62269
 Ph: (618) 624-4500 x4
 Fax: (618) 624-4534

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: Summer Day Camp

Location of Event: O'Fallon Ymca

Name of Event Organization: O'Fallon Ymca

Name of person in charge of event (applicant) and mailing address: Kila Lindstrom
284 N. Seven Hills Rd. O'Fallon, IL 62269

Phone: 618.628.7701 E-Mail: klindstrom@ymcaswi1.org

Secondary Contact Person: Dominic Santomassimo

Phone: 618.628.7701 E-Mail: dsantomassimo@ymcaswi1.org

Beginning Date / Times: May 18, 2015 Ending Date / Times: August 21, 2015

THE FOLLOWING INFORMATION (WHERE APPLICABLE) MUST BE PROVIDED IN WRITTEN FORM BEFORE APPLICATION WILL BE PROCESSED.

1. NARRATIVE (Including hours of operation; activities provided; signage including dimensions, quantity, location, etc...; traffic/parking plan; contingency plans for rain; plans for toilet facilities; security plan; expected attendance; etc...).

ATTACHED

2. Sketch plan of site.

ATTACHED

3. Permission letter from property owner, if applicant is not the property owner.

ATTACHED

NOT APPLICABLE

4. Proof of not-for-profit status (so that application fee can be waived.)

ATTACHED

NOT APPLICABLE

5. Proof of Liability Insurance should be provided and if event is held City property, City of O'Fallon, should be named as an additional insured in the amount of One Million Dollars (\$1,000,000).

ATTACHED

NOT APPLICABLE

6. Damage bonds or cash deposit to protect City facilities (this would be mainly for out-of-town sponsors) in the amount of \$300,000. PAID NOT APPLICABLE

7. Liquor license information for beer sales (including hours of sale): _____
(Attach release/indemnification forms and a copy of the liquor license and certificate of liquor liability)

8. List for profit vendors and sales tax numbers (to verify that sales tax is collected and remitted) to be provided prior to event: _____

9. Special consideration requests such, as City provided assistance. (Fees may be charged for these Services.) **Please include specific considerations requested in narrative or as an attachment.**

- NONE REQUESTED
 Street Department, IDOT (for street closings, signalization, and detour routes)
 Parks Department Police Department Fire and EMS Department

10. Coordinate all food concessions with St. Clair County Health Department at (618)233-7769.

PERMIT REQUIRED (please attach copy) NOT APPLICABLE

11. American Disability Compliance

ATTACHED NOT APPLICABLE

As part of the approval of this Special Event Permit, temporary signs for said Special Event shall be permitted as provided for in the City Sign Ordinance or as otherwise approved by the City Council.

Electrical inspections are required for all new exterior electrical connections. The City electrical inspector must be contacted a minimum of twenty-four (24) hours prior to inspection.

[Signature]
Signature of Applicant/ person in charge of event

03/06/2015
Date of Submission

FOR OFFICE USE ONLY

=====

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? YES () NO

[Signature] 3/12/15

ADMINISTRATIVE APPROVAL CONDITIONS:

APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR & DATE _____

All other requests for "Special Events Permits" not approved by the Community Development Director shall go before the Community Development Committee and the City Council for their approval.

APPROVED: CITY COUNCIL _____ (DATE)



**FOR YOUTH DEVELOPMENT
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY**

YMCA OF SOUTHWEST ILLINOIS • O'Fallon Center
March 12, 2015

Ted K. Shekell
Planning and Zoning Department
255 South Lincoln
O'Fallon, IL 62269

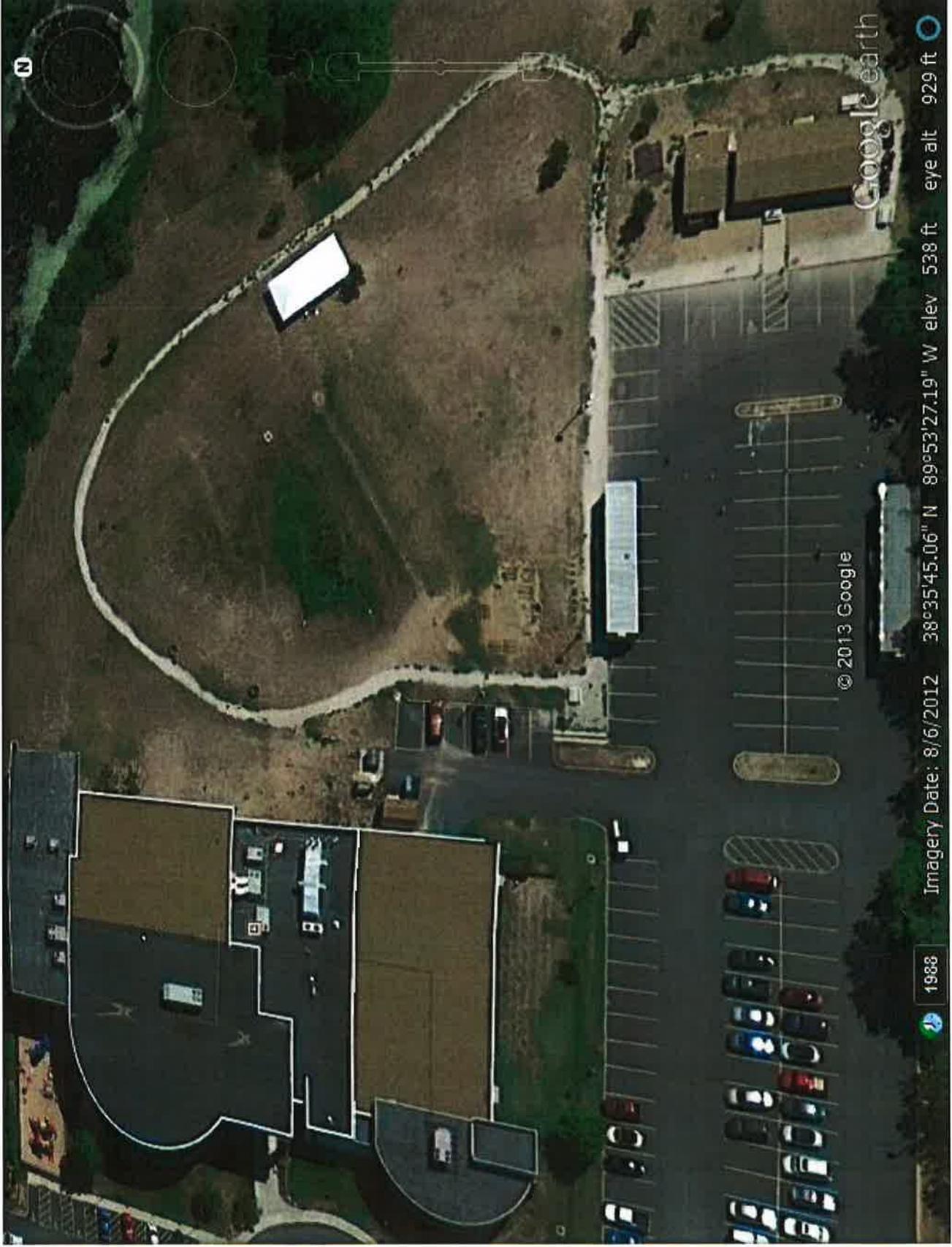
Dear Mr. Shekell,

The O'Fallon YMCA is requesting through a Special Event permit for two 12' X 56' mobile units for our summer day camp program. The mobile units are necessary because of the size of our summer day camp program. Since June 30, 2009, our enrollment has increased 92%. The YMCA has capital improvement plans to expand our facility to meet the demand of membership and program growth but with the current state of our economy these plans have been put on hold. Each week camp runs a variety of different camps, such as Marine Biology, Fabulous Fashion, Basketball, Kinder Kamp, and Traditional Day camp in one week. All of these camps need individual program areas to ensure a successful and safe camp. This is why the Mobile Units are needed. We have utilized Mobile Units in this capacity for the past 5 summers. Please see below for answers for your questions.

- Hours of operation for the mobile units 9:00am-4pm
- How many kids? 30 per mobile
- Dates? May 18th-August 21st
- Bathrooms?
 - Campers will utilize restrooms located in the Y and the pavilion.
- How many parking spaces do the mobile units occupy?
 - 13 spaces—which are typically blocked off during the camp season to ensure camper safety.
- What if it rains?
 - In light rain, the kids will still utilize the mobiles. If the weather progresses to heavy rains, thunderstorms, tornado watch/warning, etc., the kids will be moved with their counselors into the Y building.
- ADA compliance?
 - Ramps will be rented as needed for the mobiles in order to comply with ADA guidelines.

Thank you for your consideration,

Kila Lindstrom
Interim Youth & Family Program Director
O'Fallon YMCA



2

© 2013 Google

Google earth

Imagery Date: 8/6/2012 38°35'45.06" N 89°53'27.19" W elev 538 ft eye alt 929 ft

1988





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/06/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER IPM of Waterloo, Inc. 119 E Mill Street Waterloo, IL 62298 Bill Wirth	CONTACT NAME: Janice Keeven	FAX (A/C, No): 618-939-6367	
	PHONE (A/C, No, Ext): 618-939-6368	E-MAIL ADDRESS: janicek@ipmwaterloo.com	
INSURED YMCA of Southwest Illinois 424 Lebanon Ave Belleville, IL 62220	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : NSI, a division of WBM		
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			NSB2051515	12/31/2014	12/31/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 200,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			NSB2051515	12/31/2014	12/31/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			NUB2060559	12/31/2014	12/31/2015	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	SCB2060560	12/31/2014	12/31/2015	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

CTYOFAL City of O'Fallon 255 South Lincoln O'Fallon, IL 62269	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Janice K. Keeven</i>
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