



AGENDA  
COMMUNITY DEVELOPMENT COMMITTEE  
Monday, December 22, 2014

**5:30 PM**

**Public Safety Building**

**I) Roll Call**

**II) Approval of Minutes** – December 8, 2014

**III) Items Requiring Council Action** – January 5, 2015

- A. Pre-annexation Agreement and Minor Subdivision – 1117 Old Vincennes Trail (Resolution)
- B. Text Amendments (1<sup>st</sup> Reading)

**IV) Other Business**

- A. General Project Updates
- B. Video Gaming

**NEXT MEETING: Monday, January 12, 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  
6:00 PM Monday, December 8, 2014

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: 6:00 PM

- I) **Roll Call** – *Committee members:* Jerry Albrecht, Gene McCouskey, David Cozad, Jerry Mouser and Harlan Gerrish. *Other Elected Officials Present:* John Drolet, Herb Roach, Kevin Hagerty, Ed True and Richie Meile. *Staff:* Pam Funk, Ted Shekell, Jeff Stehman, Sandy Evans and Justin Randall. *Visitors:* Charlie Pitts, Chuck Jorgenson, Vern Malare, Nancy Chase, Phil Kammann, Anita Bedeer, Edward Martinez, Mark Kampen, Mike Rushey and Joseph Uram.
- II) **Approval of Minutes from Previous Meeting** – All ayes. Motion carried.
- III) **Items Requiring Council Action**
  - A. Pre-annexation Agreement – 9920 Rieder Road (Resolution) – Justin Randall gave a brief overview of the agreement, indicating that the city requested an easement through the property to run a new water main. In return the city would give the property owner a water tap. Ted Shekell indicated that a number of residences along the Rieder Road have signed the pre-annexation agreement so when the city has annexed to the property, the agreements are already signed and can be annexed into the city. The committee discussed the pre-annexation agreement and recommended approval with a vote of 5-0.
  - B. Video Gaming (1<sup>st</sup> Reading) – Ted Shekell gave a brief update on the video gaming issue discussed at the previous committee meeting. Just Randall provided the committee with an update on current revenues and how other communities were dealing with video gaming. Shekell commented on the unintended consequences of approving video gaming. Anita Bedeer spoke to the committee about other consequences of video gaming. Jeff Chasing, Nancy Chase, Chuck Jorgenson all spoke to the committee on the importance of allowing the existing business obtaining video gaming and the costs of surrounding communities having video gaming. Joe Uram spoke briefly on limiting the city's liquor licenses to curb widespread growth of video gaming. The committee discussed the video gaming issue and a motion was made to table the item until December 22, 2014 for city staff to determine whether home rule communities can supersede the state laws in limiting video gaming. The committee voted to table the item with a vote of 5-0.
  - C. Frank Scott Lakeside Apartment – Commercial Extension (Motion) – Justin Randall gave a brief overview of the extension to the commercial portion of the development right on Frank Scott Road. The committee discussed the extension and recommended approval with a vote of 5-0.
- IV) **Other Business**

- A. General Project Updates – Ted Shekell updated the committee on some of the current development projects and public meetings during the next week.

**MEETING ADJOURNED:** 7:30 PM

**NEXT MEETING:** December 22, 2014 – Public Safety Building

**Prepared by:** Justin Randall, Senior City Planner

**STAFF REVIEW DRAFT MINUTES**  
**O'FALLON PLANNING COMMISSION**  
**December 16, 2014**

Chairman Larry Sewell called the meeting to order at 6:02 p.m. in the City Council Chambers and led the Pledge of Allegiance.

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

**MINUTES:** Motion was made by Rohr and seconded by Keeler to approve the minutes of September 23, 2014. 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 were City Alderman John Drolet, resident Stewart Drolet, and petitioner Dean Oelze of SI Strategy, LLC. Sewell gave an overview of the process that would be followed for the evening.

**UNFINISHED BUSINESS:** None.

**PUBLIC HEARINGS:**

**(P2014-10) – Zoning Amendment Subject to the Planned Development Ordinance for B-1 Community Business District and B-2 General Business District for property in the northwest corner of Highway 50 & Scott-Troy Road; the proposal is to construct “Four Points Center” - a mixed use development including a recreational center, retail, hospitality, and office lots; Petitioner is Dean Oelze of SI Strategy, LLC**

Public hearing was opened at 6:06 p.m. Randall presented an overview of the project. A map of the subject and surrounding properties and their zoning was shown, along with a site plan and building elevation of the subject property. Randall highlighted main points and issues and described the various phases of the project. Phase 1 will consist of a two story, 132,400 square foot “McKendree Metro Rec Plex.” The Rec Plex will house:

- 2 National Hockey League (NHL) ice rinks
- Aquatic center with a 4-lane recreational pool, 25 meter x 25 yard competition pool, diving area with the following diving boards:
  - Two 1-meter spring boards
  - Two 3-meter spring boards
  - One 5-meter fixed platform
- Fitness facility

The future phases will include development of two hotel sites, 8 outlots for food and retail uses, one large commercial development site, and three office building sites. Randall

indicated that staff is still waiting on additional information on the project including results of the traffic study by CBB. Shekell gave additional details about the traffic flow, including curb cuts and turn lanes.

Rohr and Sewell asked about the existing business, Mississippi Excavating, on the project site. Shekell stated Mississippi Excavating would vacate the premises. Sewell inquired about a projected timeline. Shekell stated the original projected completion of Phase 1 was August 2015. Rohr asked if the site is undermined; Randall stated it is not.

Public comments were not opened.

**Staff Recommendation:**

Staff recommended the hearing be continued to the next regularly scheduled Planning Commission meeting on January 13, 2015.

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

**ROLL CALL:** Arell-Martinez, aye; Baskett, aye; Keeler, aye; Rogers, Aye; Rohr, aye; Sewell, aye. All Ayes. Motion to continue hearing of P2014-10 to January 13, 2014.

The project moves to Planning Commission on January 13, 2014 at 6:00 PM. The public hearing was closed at 6:23

**(P2014-11) –Text Amendments to the Approved Street Tree List, Planned Use Validity, and Signs Authorized without Permit**

Public hearing was opened at 6:23 p.m. Randall presented an overview of the proposed text amendments.

**Approved Street Tree List:**

Randall explained the approved street tree list needs amending because many of the trees on the list are invasive, susceptible to disease, or ill-suited for the region's climate. Randall stated staff had consulted with Parks and Recreation Department for determining which trees to remove and keep. Currently, the list contains seven approved trees, including White Ash, Green Ash, Callery Pear, Norway Maple, Gray Dogwood, Goldenraintree, and Sawtooth Oak. Both the White and Green Ash are susceptible to the Emerald Ash Borer, the Callery Pear has invasive tendencies, the Norway Maple does not thrive in the area, and the Gray Dogwood is more shrub-like than tree and inappropriate for the intended use. The proposed new list would retain the Goldenraintree and the Sawtooth Oak.

**Planned Use Validity:**

Randall explained Planned Use approvals are currently valid for 12 months and may receive a 12 month extension. Randall provided examples where the current duration is inadequate and explained it is not uncommon for a Planned Use to expire before the construction commences. If the Planned Use expires the project must resubmit and seek approval again which can create additional burdens for the project. The proposed change would allow for a 24 month approval with the ability to apply for up to three 12 month extensions.

Baskett asked how applicants would be granted extensions. Randall clarified that extensions would not be granted freely. The applicant must request the extension and Community Development must recommend it to City Council where Council will vote on it.

Baskett asked if the new approval duration would retroactively apply to Planned Uses that have already been approved. Shekell stated it would not automatically make any previously approved Planned Use valid for two years, but those projects would be eligible to apply for up to three 12 month extensions.

Temporary Sign Regulations:

Randall explained there is a current regulation in place to allow temporary signage without a permit during the weekends. This regulation has a sunset provision and is set to expire on December 17, 2014. Randall provided justification for continuation of this regulation, stating that staff is not aware of any major issues with the provision.

Public comments were opened, no one spoke and public comments were closed.

**Staff Recommendation:**

Approved Street Tree List:

Staff recommends the removal of the following trees from the Approved Street Tree list:  
White Ash, Green Ash, Callery Pear, Norway Maple, Gray Dogwood.

Staff recommends retaining the following trees from the Approved Street Tree list:  
Goldenrain tree, Sawtooth Oak

Planned Use Validity:

Staff recommends extending the current approval duration from 12 months to 24 months, and the addition of the ability for City Council to grant three additional 12 month extensions.

Temporary Sign Regulations:

Staff recommends removing the sunset provision and allowing temporary signage on weekends without a permit.

**ROLL CALL:** Arell-Martinez, aye; Baskett, aye; Keeler, aye; Rogers, Aye; Rohr, aye; Sewell, aye. All Ayes.

The text amendments move to Community Development on December 22, at 6 p.m. The public hearing was closed at 6:34 p.m.

**REPORTS OF STANDING AND SPECIAL COMMITTEES:** None.

**REPORTS AND COMMUNICATION:**

Rohr mentioned Joe's Place on Hartman Ln. and inquired where the rezoning boundaries are. Shekell described the portion that was changed and confirmed it was contained to the lot specific to Joe's Place.

Shekell briefed the Planning Commissioners on a temporary building that is planned for 631 Main St., next to Midwest Twisters. He stated the restaurant Peel is now open for business and seems to be doing very well, as is Dominos on E. Hwy 50. Shekell stated St. Elizabeth's Certificate of Need hearing has been postponed until after the first of the year. NGA is still looking to move to Scott Air Force Base which would bring over 3,000 new jobs to the area. The Downtown Plan meeting held on December 11, 2014 was successful. Sal Cincotta has purchased property on State St. and intends to create a 3 story mixed use building to include office space, loft apartments, and possibly a wine bar. Shekell reported that new construction permits numbers were near 130 for the year.

Baskett inquired about the status of the bike trail. Shekell stated that the connection to the Madison County Bike Trail should begin in spring 2015 and will connect to Madison County, IL and parts of Missouri.

**ADJOURNMENT:**

Motion was made by Keeler and seconded by Baskett to adjourn. All ayes. Motion carried. The meeting was adjourned at 6:48 p.m.

Respectfully submitted,

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Jessica Warden, Transcriptionist

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Minutes approved by Planning Commission



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MEMORANDUM

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**TO:** Community Development Committee  
**FROM:** Justin Randall, Senior City Planner  
**THROUGH:** Ted Shekell, Director of Planning and Zoning  
**DATE:** December 22, 2014  
**SUBJECT:** Preannexation Agreement and Minor Subdivision – 1117 Old Vincennes Trail (Resolution)

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**Project Background and Summary**

The petitioner, Larry Fulford has filed a petition to enter into an preannexation agreement for the property located at 1117 Old Vincennes Trail, Parcel Number 04-28.0-200-044, having approximately 6.85 acres. The parcel has an existing single-family residence and accessory structure, which is service with water from the City of O'Fallon. Researching the property found there was a water agreement established, however an pre-annexation agreement was never signed, which assures the property will be annexed into the city when the city limits become contiguous with the property. The parcel is currently zoned RR-3 (Rural Residential District) in St. Clair County. The property will be zoned A, Agricultural District upon its annexation to the City of O'Fallon.

A public hearing will be held at the City Council meeting on Monday, December 15, 2014 at 7:00 pm. At that same meeting, a resolution will be presented authorizing the Mayor to sign the preannexation agreement.

In addition to the preannexation agreement with the City, the petitioner is seeking City approval for a minor subdivision of the 6.85 acres. While the site is outside city limits, the property is located within the mile and a half review area and will need City Council approval. The minor subdivision proposes to create two lots; a 3-acre lot consisting of the existing single-family structure as well as a 3.85 acre tract for a new residence and accessory structure. Overall, the plat meets the area and balk requirements of the city's codes, but a few minor additions to the plat will be completed prior to the City signing off on the plat.

**Recommendation**

Staff recommends approval of both the annexation agreement and minor subdivision for 1117 Old Vincennes Trail, Parcel Number 04-28.0-200-044.

# BOUNDARY SURVEY

Being Part of LOT 10 in the NE 1/4 of SEC. 28  
T.2 N., R. 7 W., of the 3rd P.M.  
ST. CLAIR COUNTY, ILLINOIS

Centerline Section 28

OLD VINCENNES (50' W.) TRAIL

N89°36'25"E  
202.41'

N89°37'50"E  
399.33'

N89°37'50"E 253.00' (R&M)

276.10'

N89°37'50"E 969.67' (969.36')

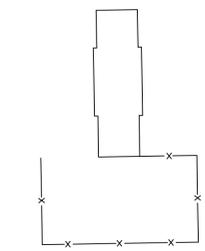
439.57'

N42°19'47"E  
32.15'  
L=93.119  
R=541.119

N00°37'51"E 309.35' (309.33')

N00°22'10"W 582.78' (541.54')

N00°22'10"W 513.89' (512')



S00°22'10"E 431.50'

XXXX Old Vincennes Trail  
4.317 ACRES

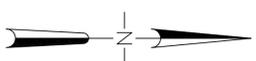
L=571.43'  
R=11410.00

L=262.22' (265')  
R=11410.00

ABANDONED (100' W.) RAILROAD R/W

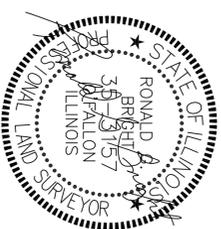
743.37' (R&M)

Center  
Section 28



### SYMBOL LEGEND

- ⊗ - FND IRON ROD W/CAP
- - FND IRON ROD or PIPE
- - SET IRON ROD
- △ - FND STONE
- ( ) - RECORD MEAS.
- R&M - RECORD & MEAS.



12-08-2014



## RGB SURVEYING, LLC

105 E. ADAMS STREET  
O'FALLON, ILLINOIS 62269  
(618) 624-9034 PHONE/FAX

BOUNDARY SURVEY  
BEING PART of the NE 1/4, SEC. 28  
T.2 N., R. 7 W., of the 3rd P.M.

CLIENT:  
LARRY FULFORD  
792 GREYSTONE PLACE  
O'FALLON, ILLINOIS 62269  
(618) 781-3460 PHONE

SURVEY DATA:  
SURVEY DATE: DEC 2014  
FIELD CREW: RGB/JNB  
FIELD BOOK: 15, PG.46

NO.	DATE	DRAWN	CHECKED	DATE	CONTRACT NO.

PROJECT NO. FULLFORD-14 0001  
DRAWN R.C.B. CHECKED J.N.B.  
DATE DEC. 08, 2014

BOUNDARY SURVEY  
SHEET S1



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MEMORANDUM

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TO: Community Development Committee  
FROM: Justin Randall, Senior City Planner  
THROUGH: Ted Shekell, Director of Community Development  
DATE: December 22, 2014  
SUBJECT: Proposed Zoning Code Text Amendments to the Approved Street Tree List, Planned Use Validity and Signs Authorized Without Permit (1<sup>st</sup> Reading)

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**Recommendation**

The Planning Commission reviewed the proposed amendments at their December 16, 2014 meeting and voted 6 ayes to 0 nays to recommend approval.

**Amendments to Approved Street Tree List, Chapter 155: Design Manual, Appendix A**

In February 2005, the City Council adopted the subdivision street tree planting requirements, which included a list of approved trees. Since its adoption, the Emerald Ash Borer has spread to the State of Illinois causing the death of ash trees. Also we have received input from Jamie Frank from the Parks and Recreation Department on a number of trees which have been added to the invasive plants list according to the Midwest Invasive Species Information Network. Below is analysis and recommendations on keeping or removing a number of trees on the approved tree list from the Community Development and Parks and Recreation Departments.

- 1) Callery Pear  
*The O'Fallon Parks and Recreation Department has seen the Callery Pear invade native areas, Rock Springs Park is a prime example. Birds distribute the fruit and species can spread from a substantial distance away. Even the improved cultivars like Cleveland Select, Redspire and Aristocrat still have branching issues and susceptibility to fire blight. The risks, especially given how this species spread outweigh its continued use as an approved tree. The O'Fallon Parks and Recreation Department recommends removing the Callery Pear from the approved tree list.*
  
- 2) Goldenraintree  
*Several Goldenraintree planted in Forest Park near natural areas that have not spread into those areas. The tree is not used widely as a street tree in the St. Louis metro but St. Louis city parks have a quite a few, but they are difficult to find in any large quantity. According to Jamie Frank, the tree should not be planted in large numbers or near a natural area or in the woods but in an urban environment like a tree lawn or tree box there should not be a risk of it becoming invasive, therefore staff is not recommending the removal of this tree at this time.*

Community Development Department

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

3) Norway Maple

*The Norway Maple doesn't do well as a street tree in the lower Midwest in general because of the heat. The tree is used in limited numbers as a street and park tree when a specific foliage effect was needed (dark purple foliage). The risk of it spreading via its samaras (seed) by the wind is limited if it is planted in a downtown area or tree lawn away from wooded/native areas. Because of the trees inability to thrive do to the heat in the lower Midwest, staff recommends removing the Norway Maple from the approved tree list.*

4) Sawtooth Oak

*This tree has been planted in both parks and tree lawns and does not appear to spread to native areas from the urban environments in which they have been planted. There is little risk of a Sawtooth Oak growing planted in a 4 foot tree lawn of spreading wildly out of control via its acorns. This is a good durable tree for tough environment, but is not the ideal species for the edge of your wooded suburban lot or to reforest a wild area. However, in a downtown tree well, urban park or tree lawn, there is not a risk of it becoming a problem as an invasive. The O'Fallon Parks and Recreation Department would recommend keeping the tree on the approved tree list until more conclusive data is set out indicating its use in the urban environment is a problem.*

5) Gray Dogwood

*This tree is generally classified as a shrub and suckers profusely. The tree is more acceptable to be used as a native planting or in a landscape massing versus use as a street or parking lot tree. The O'Fallon Parks and Recreation Department recommends removing the Gray Dogwood from the approved tree list.*

As a result staff is recommending removing the following trees from the approved tree list:

- Callery (Bradford) Pear – *pyrus calleryana*
- Norway Maple – *Acer platanoides*
- Gray Dogwood – *Cornus Kousa*
- White Ash – *Fraxinus americana*
- Green Ash – *Fraxinus pennsylvanica*

**Amendment to length of validity of Planned Use Approval Chapter 158, Article 6, Section 158.119(F)**

Over the past few years there have been a few projects that have been approved by the City Council via the planned use process, but have not been constructed prior to the approval expiring. The length of validity of the planned use is 12 months, while typically appropriate, has caused issues with potential projects pending within the City of O'Fallon. When projects expire, the project is required to resubmit and seek reapproval, which costs the developer time and money. Staff is recommending extending the timeline for the validity of the planned use approval to 2 years and increasing the amount of Council extensions from 1 year to 3 years. Below are the current regulations and proposed amendments highlighted with strikethrough.

**Proposed Amendment to Section 158.119(F):**

"Duration of validity. The approval may specify the duration of a planned use's validity, but in no event shall an approved preliminary site plan be valid for a period longer than ~~12 months~~ 2 years from the date of such approval. The City Council may grant no more than ~~one~~ three extensions not exceeding 12 months each upon written request. The approval of a revised preliminary site plan shall not automatically extend the time period during which the planned use is valid. In instances where there is another binding agreement

between the city and the development with a longer duration of validity, the provisions of this section will not apply .”

**Amendment to the Temporary Sign Regulations, Chapter 158, Article 8, Section 158.163(B)**

The City Council approved temporary signage without a sign permit for establishments within the city, granting 1 sign on Fridays, Saturdays and Sundays, as well as Mondays when it is a federal holiday. The original approval was granted with a one year sunset provision; the City Council approved a two-year extension in 2012 to continue to allow the temporary signs. The last extension expires December 17, 2014, which will effectively end the allowance of a small temporary sign over the weekend for businesses and organizations in O’Fallon without City approval. This particular regulation is used quite often by businesses and would limit the ability for business to promote certain events on weekends. Additionally, staff is not aware of any major issues with the provision. Therefore, staff is recommending removing the sunset provision and making this regulation a permanent exemption for temporary signage on the weekends.

**Proposed Amendment to Section 158.163(B):**

“ (1) In lieu of such temporary non-commercial signs as are permitted without a sign permit elsewhere in Section 12.040, each establishment may display one (1) temporary sign made of paper, cardboard or other lightweight materials with comparable support materials designed for temporary display of Messages under this subsection without a Permit. Such Temporary Sign may be displayed on Fridays, Saturdays, and Sundays, as well Monday when it is a federally-recognized holiday. Such temporary sign shall not exceed twenty-four (24) square feet if affixed to the building wall or six (6) square feet if affixed to the ground. Such temporary sign must be located entirely on the zoning lot where the establishment is located and must be outside of the sight distance triangle.

~~(2) This section is governed by a two year sunset provision. Unless otherwise amended by the City Council, this section will be in effect only until 12-17-2014.”~~