



AGENDA
COMMUNITY DEVELOPMENT COMMITTEE
Monday, June 22, 2015

6:00 PM

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

I) Roll Call

II) Approval of Minutes – June 8, 2015

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

- A. Pre-annexation Agreement – 7710 Haury Road (Resolution)
- B. SEPA – Knights of Columbus – Weekend Events (Motion)
- C. SEPA – Frieze Harley-Davidson – Customer Appreciation Day (Motion)
- D. Final Plat, Phase I of Reserves of Timber Ridge (2nd Reading) – No Change

IV) Other Business - None

NEXT MEETING: July 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
6:00 PM Monday, June 8, 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: 6:00 PM

- I) Roll Call** – *Committee members:* Jerry Albrecht, Gene McCoskey, David Cozad, Ray Holden, Harlan Gerrish, and Jerry Mouser. *Other Elected Officials Present:* Mike Bennett, Richie Meile, Herb Roach, Kevin Hagarty, Matt Smallheer, Courtney Cordona and Ned Drolet. *Staff:* Walter Denton, Ted Shekell, Jim Cavins, Grant Litteken and Justin Randall. *Visitors:* Vern Malare, Milhe Bushey, Jeff Hastings, Ron Zelms, and Kie Zelms.
- II) Approval of Minutes from Previous Meeting** – All ayes. Motion carried.
- III) Items Requiring Council Action**
- A. Reserves of Timber Ridge, Phase 1 Final Plat (1st Reading) – Justin Randall provided the Committee with an overview of the Phase 1 Final Plat. Randall informed the committee the improvement plans were being reviewed for conformance and the final plat conformed to the approved Preliminary Plat. Ted Shekell informed the committee the developer would like to be able to start grading after the first reading of the ordinance, with all the bonds in place with the city for grading. The committee discussed the plat and grading request. The committee recommended moving the plat and grading request forward with a vote of 6-0.
 - B. License Agreement with Thornbury Hills HOA (Resolution) – Ted Shekell provided the committee with an overview on the agreement with the Thornbury Hills HOA. Shekell informed the committee the city attorney Dale Funk had been working with the HOA to resolve the issues of maintenance of the entry monument and island. The committee discussed the agreement and recommend moving the agreement forward with a vote of 6-0.
 - C. SEPA – Music of the Night 5k Race (Motion) – Justin Randall briefed the committee on special event request. Randall informed the committee the race was consistent with previous events. The committee recommended approval of the Special Event Permit with a vote of 6-0.
- IV) Other Business**
- A. Sidewalk Dining Regulations Downtown – Justin Randall explained the concept of allowing dining areas on the sidewalk in the downtown area. Randall explained staff has received feedback from citizens and business about the ability to have an area for outdoor dining. Randall informed the committee research has been gathered from surrounding communities that allow sidewalk dining and want to have a discussion to gauge the interest of the committee on creating provisions to allow sidewalk dining. The committee discussed sidewalk dining some of the advantages and difficulties sidewalk dining would create. The committee generally thought the concept would work and staff will begin drafting potential regulations for further review.

MEETING ADJOURNED: 6:00 PM

NEXT MEETING: June 22, 2015 – Public Safety Building

Prepared by: Justin Randall, Senior City Planner

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, Community Development Director
DATE: June 22, 2014
SUBJECT: Pre-annexation Agreement – 7710 Haury Road (Resolution)

Project Background and Summary

The petitioner, Craig & Renee Nix has filed a petition to enter into an annexation agreement for the property located at 7710 Haury Road, Parcel Number 04-05.0-300-032, having approximately 5.27 acres. The parcel is currently zoned A (Agricultural District) in St. Clair County. The property will be zoned RR, Rural Residential District upon its annexation to the City of O'Fallon. The petitioner is constructing a new home and is seeking a residential water tap for the property.

A public hearing will be held at the City Council meeting on Monday, July 6, 2015 at 7:00 pm. At that same meeting, a resolution will be presented authorizing the Mayor to sign the pre-annexation agreement.

Recommendation

Staff recommends approval of the pre-annexation agreement for 7710 Haury Road, Parcel Number 04-05.0-300-032.

PRE-ANNEXATION AGREEMENT

This Pre-Annexation Agreement (Agreement) is made and entered into this 10 day of June 2015, by and between Craig & Renee Nix ("Owner") and the City of O'Fallon (the "City") a municipal corporation organized and existing under and by virtue of the laws of the State of Illinois by and through its Mayor and City Council (collectively, "Corporate Authorities").

A. Owner is the owner of record of certain parcels of real property located at 7710 Haury Road, Lebanon, IL 62254, Parcel Number 04-05.0-300-032 and is contiguous to or is expected to be contiguous to the City of O'Fallon in St. Clair County, Illinois, which is more particularly described in Exhibit A attached hereto and made a part hereof (the "Parcel").

B. Pursuant to the provisions of 65 ILCS 5/11-15.1-1, *et seq.*, a proposed Pre-Annexation Agreement in substance and form the same as this Agreement was submitted to the Corporate Authorities and a public hearing was held thereon pursuant to notice, all as provided by statute and the ordinances of the City.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, and in compliance with the ordinances, codes, and regulations of the City in effect as of the date hereof, or as may hereinafter be enacted, the parties hereto hereby agree as follows:

1 **Annexation.** Owner has filed with the City Clerk a Petition for Annexation of the Parcel to the City conditioned on the terms and provisions of this Agreement, which petition has been prepared, executed, and filed in accordance with 65 ILCS 5/7-1-8, and the ordinances and other requirements of the City. A copy of said Petition is attached hereto as Exhibit C and made a part hereof. To the extent that the Parcel is not yet contiguous to the City, Owner agrees to execute such additional Petition in the future as may be required by the City upon the Parcel becoming contiguous to the City boundary. Subject to the requirements and conditions herein and satisfaction of the conditions of the Petition for Annexation, the City agrees to annex the Parcel by agreement pursuant to 65 ILCS 5/11-15.1-1, *et seq.* Owner has filed with the City Clerk a preliminary Plat of Annexation, which contains an accurate map of the Parcel, which Plat is attached hereto as **Exhibit B** and made a part hereof. This annexation is not for the purpose of a new residential development.

2. **Water Supply and Sewer Service.** From the effective date of this Agreement, the City shall supply, or continue to supply, fresh, potable water and sewer service (if applicable and when available) to the Parcel in quantities and pressure sufficient in all respects to serve the needs of the Parcel and the persons therein and subject to otherwise applicable usage charges, fees and regulations, provided that any change in the use of the property is subject to and in compliance with the provisions of the City's ordinances and regulations, whether prior to or after the effective date of the annexation.

3. Miscellaneous

- (a) This Agreement shall be effective for a term of twenty (20) years from the date hereof, provided that the obligations to the City shall survive such termination to the extent not inconsistent with 65 ILCS 5/11-15.1-1.
- (b) The Parcel shall be zoned Rural Residential by the City upon annexation. The Owner shall retain the right to petition to rezone their property, pursuant to the laws of the City, during the term of the agreement. The City agrees that it will not seek to rezone the Parcel to another zoning district classification without the written petition of the Owner for the duration of the agreement.
- (c) The Parcel shall be subject to all laws, codes, ordinances, fees, annexation fees, taxes, usage charges, and regulations of the City, now existing or as may hereinafter be amended, enacted or enforced, and nothing herein shall be interpreted to limit the enforceability or application of such, except as provided herein; provided that no annexation fee shall apply to the

Property and be required to be paid until the Property is rezoned at the request of the property owner or after termination of this Agreement.

- (d) This Agreement and the obligations of Owner hereunder shall be a covenant that shall run with the land, shall be a provision of any sale or other contract for transfer of interest in the Parcel, and may be recorded.
- (e) The undersigned persons whether signing individually, on behalf of a municipal corporation, or by an attorney-in-fact warrant themselves: (i) to be of lawful age, (ii) to be legally competent to execute this Agreement, (iii) to be fully authorized to execute this Agreement on behalf of themselves or the municipal corporation indicated below, and (iv) to have signed this Agreement on their own behalf or on behalf of such municipal corporation as their own free acts and deeds and/or the free acts and deeds of such municipal corporation after opportunity to consult with legal counsel.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

ATTEST:

CITY OF O'FALLON
A Municipal Corporation,
County of St. Clair
State of Illinois

By: _____

By: _____

Name: Philip A. Goodwin

Name: Gary L. Graham

Title: City Clerk

Title: Mayor

OWNER: *[Signature]*

OWNER: *Renee Nix*

DATED: 6-10-2015

DATED: 6-10-15

BY: _____

BY: _____

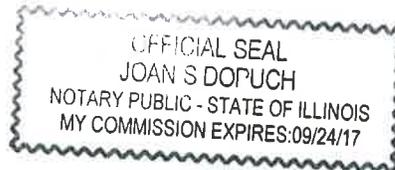
ATTEST: _____

ATTEST: _____

State of Illinois
County of St. Clair

SUBSCRIBED AND SWORN to before me this 10 day of June, 2015.

Joan S Dopuch
Notary Public



O'Fallon, Illinois

My Commission expires: 9/24/17

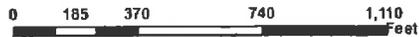
EXHIBIT B

PROPERTY MAP OF ANNEXATION

7710 Haury Road - Pre-Annexation Agreement



 Subject Property



O'Fallon
ILLINOIS

EXHIBIT C

PETITION FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS

The undersigned Petitioner hereby respectfully petition to annex to the City of O'Fallon, St. Clair County, Illinois, the tract of land described as follows:

PARCEL NUMBER(S): 04-05.0-300-032

ADDRESS(ES): 7710 Haury Road, Lebanon, IL 62254

(See attached Exhibits "A")(hereinafter the "Tract")

and states as follows:

1. The Tract is not within the corporate limits of any municipality.
2. The Tract is contiguous to the City of O'Fallon, St. Clair County, Illinois.
3. There are 2 electors residing on the Tract.

4. The Petitioners are the sole owners of record of all land within the Tract, and they have 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, Petitioners respectfully request that the corporate authorities of the City of St. Clair County, Illinois, annex the Tract to said City in accordance with the provisions of this Petition and in accordance with the law in such case made and provided.

OWNER: [Signature]

OWNER: [Signature]

DATED: 6-10-2015

DATED: 6-10-15

BY: _____

BY: _____

ATTEST: _____

ATTEST: _____

State of Illinois
County of St. Clair

SUBSCRIBED AND SWORN to before me this 10 day of June, 2015.

[Signature]
Notary Public



O'Fallon, Illinois

My Commission expires: 9/24/17



MEMORANDUM

TO: Community Development Committee
FROM: Justin Randall, Senior City Planner
THRU: Ted Shekell, Community Development Director
DATE: June 22, 2015
SUBJECT: Knights of Columbus Weekly Special Event (MOTION)

Background:

- Applicant: Knights of Columbus
- Location: 402 East Highway 50
- Dates/Times:
 - Each Friday Saturday from April through September
 - 8:00 AM – 2:00PM
- Event Details:
 - Applicant requests permission for non-profit organizations to be allowed to hold special event fundraisers
 - The Knights of Columbus have already had 4 events that have been administratively approved and any future events would need City Council approval.
 - This event requires City Council approval due to the number of times it will occur within one year
 - Consistent with previous approvals for Valvoline at the corner of Highway 50 and Lincoln Avenue.

Staff Recommendation: The Fire and Police Departments have reviewed the Special Event Permit request for the event with no issues. Staff recommends approval of the event, with the following conditions:

1. No individuals may be located in public right-of-way, the intersection medians, or on opposite sides of the street.
2. No human and/or hand held signs permitted on sidewalks or public right-of-way.
3. Sidewalks and public right-of-way must remain clear at all times.
4. Events are intended for community non-profits. Other types of events may require separate Special Event Permits.

PD —
FD —



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 *on file*

OR

Provide \$50.00 application fee with application

BUILDING DEPARTMENT ORIGINAL

RECEIVED JUN 10 2015

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: Knights of Columbus - non-profit organizations special events

Location of Event: 402 East Highway 50

Name of Event Organization: Various non-profits in K of C parking lot

Name of person in charge of event (applicant) and mailing address: Walt Haeffner
402 East Highway 50

Phone: 632-6229 E-Mail: walthaeffner@yahoo.com

Secondary Contact Person: _____

Phone: _____ E-Mail: _____

Beginning Date / Times: see narrative Ending Date / Times: see narrative

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): no liquor sales - n/a
(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: _____
no "for profit" vendors

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

6/10/15
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? () YES NO


6/10/15

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:

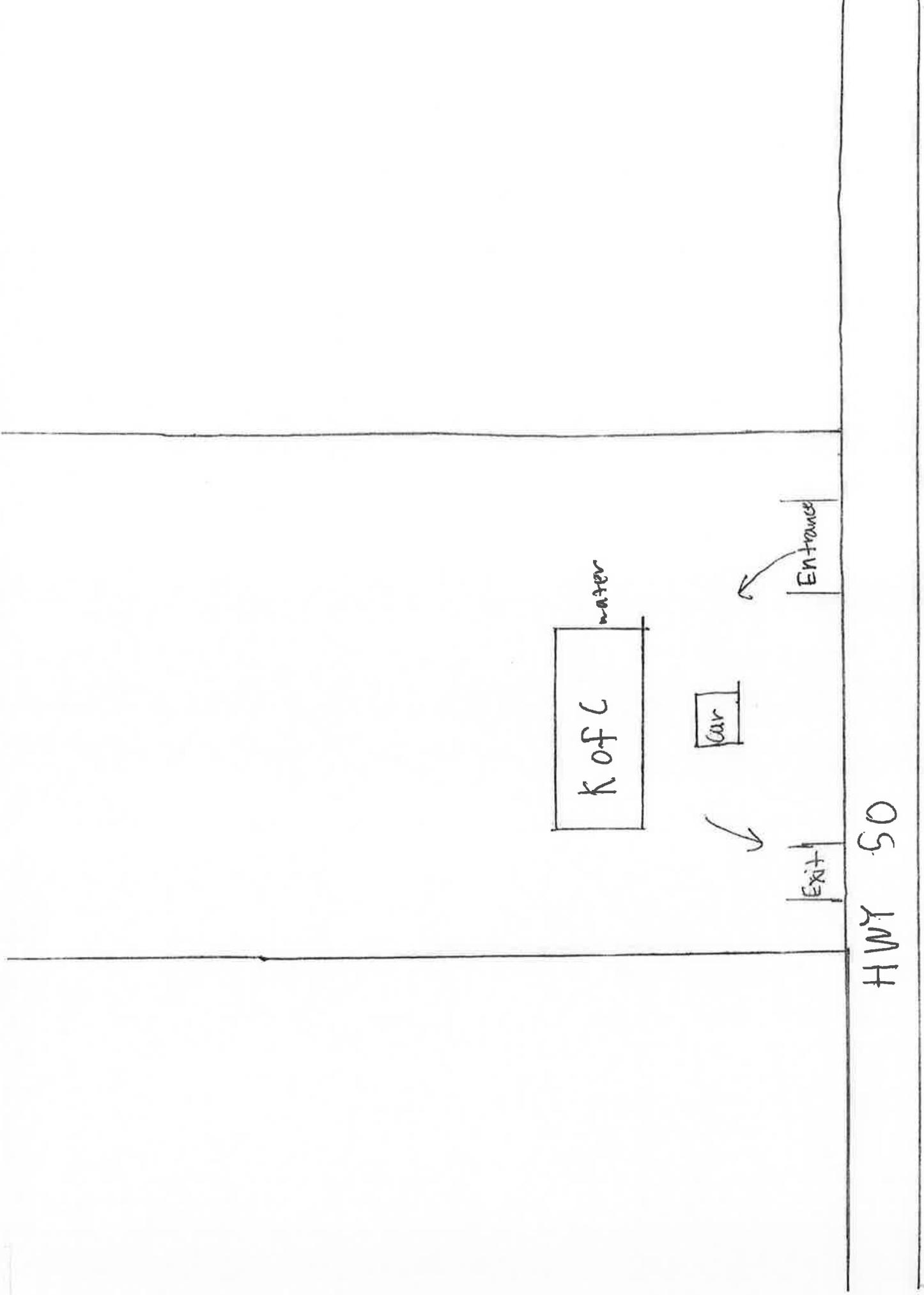
- hours of operation
- activities provided
- signage
 - dimensions,
 - quantity,
 - location, etc...
- traffic/parking plan
- contingency plans for rain
- plans for toilet facilities
- security plan
- expected attendance
- Any additional helpful information

Narrative:

Knights of Columbus at 402 East Highway 50 wishes to provide the use of our parking lot for non-profit organizations to use for fund-raising special events.

The events will be held on Friday or Saturdays during the hours of 8:00 AM through 2:00 PM during the months of April through September.

We will ensure the Not for Profit Special Event Fundraising Agreement is completed by both the non-profit and the Knights of Columbus and will be on file and available to be produced to the city upon request.



K of C

water

car

Exit

Entrance

HWY 50

**Knights of Columbus
Not for Profit Special Event Fundraising Agreement**

In order to assist non-profit organizations with providing a location for fundraising special events, Knights of Columbus (KofC) has requested pre-approval for a series of special events to take place on their property located at 402 East Highway 50, O'Fallon, Illinois. The City of O'Fallon has approved these special events to take place on the KofC property under a Special Event Permit with the following conditions for approval:

1. No individuals may be located in public right-of-way, the intersection medians, or on opposite sides of the street.
2. No human and/or hand held signs permitted on sidewalks or public right-of-way.
3. Sidewalks and public right-of-way must remain clear at all times.
4. Events are intended for community non-profits. Other types of events may require separate Special Event Permits. KofC is required to ensure that each of the non-profit organizations has a copy of their organization's proof of non-profit status on file at the KofC office available to be produced to the City upon request.

By signing below, KofC and the non-profit organization both agree to comply with these conditions. **A copy of the fundraising organization's not-for-profit status is to be attached to this agreement.** Both the agreement and proof of non-profit status are to be available on the KofC site upon request by the City. Failure to comply with these conditions may jeopardize the approval of future fundraising events.

By my signature, I agree to comply with the conditions for approval of the City of O'Fallon Special Event Permit as stated above.

Print Name of Not for Profit Organization and Representative and Date of Event

Signature of Not for Profit Organization Representative

Signature of Knights of Columbus Representative

Date: _____



M E M O R A N D U M

TO: Community Development Committee
FROM: Justin Randall, Senior City Planner
THRU: Ted Shekell, Community Development Director
DATE: June 22, 2015
SUBJECT: Customer Appreciation Day - Frieze Harley-Davidson (MOTION)

Background:

- Applicant: Frieze Harley-Davidson
- Location: Frieze Harley-Davidson dealership (1560 N. Green Mount Rd)
 - Customer Appreciation Day
 - Saturday, July 18, 2015 12:00 PM – 4:00 PM
 - Live music from 12:00 PM – 4:00 PM
 - Food sold by the Moose Lodge
 - Sonic will be serving free Cherry Limeades
 - Beer will also be sold at the event
 - Vendors will be set up outside the building
- Parking will be provided on site for the events.
- Toilet facilities for the public will be provided in the dealership for the events.
- No request for City assistance.
- Event was administratively approved previously. However the applicant has changed the event to include alcohol sales, thus requiring Council approval. The event is consistent with other Frieze Harley-Davidson events.

Staff Recommendation: The Fire and Police Departments have reviewed the Special Event Permit request for the event with no issues. Staff recommends approval of the event, with the following conditions:

1. Provide a list of profit vendors and their sales tax numbers prior to the event.
2. Provide a copy of the liquor license and certificate of liquor liability prior to the event.
3. Event, including live music, will be located on the front parking lot.

DD _____
FD _____
City Clerk _____



Attach proof of not-for-profit status with application

OR

Provide \$50.00 application fee with application

previously AA - so no charge

BUILDING DEPARTMENT ORIGINAL

COMMUNITY DEVELOPMENT DEPARTMENT
255 S. Lincoln Avenue, 2nd Floor
O'Fallon, IL 62269
Ph: (618) 624-4500 x4
Fax: (618) 624-4534

RECEIVED JUN 11 2015

APPLICATION FOR A SPECIAL EVENT PERMIT

Event Name: Customer Appreciation Day

Location of Event: 1560 N. Green Mount Rd. O'Fallon, IL

Name of Event Organization: Frieze Harley-Davidson

Name of person in charge of event (applicant) and mailing address: _____
Justin Fix

Phone: 618-622-0045 E-Mail: friezehd1@peaknet.net

Secondary Contact Person: Pam BeyKirch

Phone: 11 E-Mail: friezehd@peaknet.net

Beginning Date / Times: 7/18/15 @ 12 pm Ending Date / Times: 7/18/15 @ 4 pm

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

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: NONE confirmed @ this time

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

6/11/13
Date of Submission

FOR OFFICE USE ONLY

ELIGIBLE FOR ADMINISTRATIVE APPROVAL? () YES (X) NO

AL 6/11/13

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)



Dear City of O'Fallon,

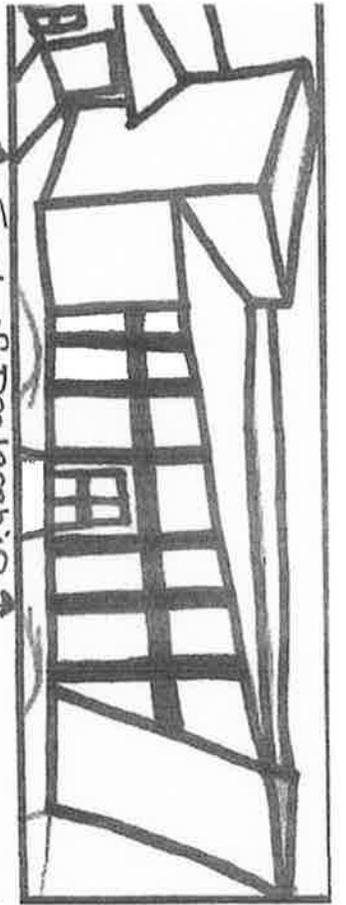
Frieze Harley-Davidson is applying for our Customer Appreciation Day event which will be held on July 18, 2015 from 12-4pm on our Front Plaza at our Dealership, located at 1560 N. Green Mount Rd., O'Fallon, IL 62269. There will be Live Music from 12-4pm, food will be sold by the Moose Lodge with profits going towards a charity and Sonic will be serving FREE Cherry Limeades. Beer will be sold at this event. There may be vendors at this event, but there are none confirmed at this time. A sketch of the building with reference points for vendors and such is attached. I will provide you with more information on vendors when it becomes available.

This is a rain or shine event. If rain brings on an issue, we will move the party inside.

If you have any questions, please feel free to contact Etta Madura or Pam Beykirch at (618) 622-0045.

Thank you,

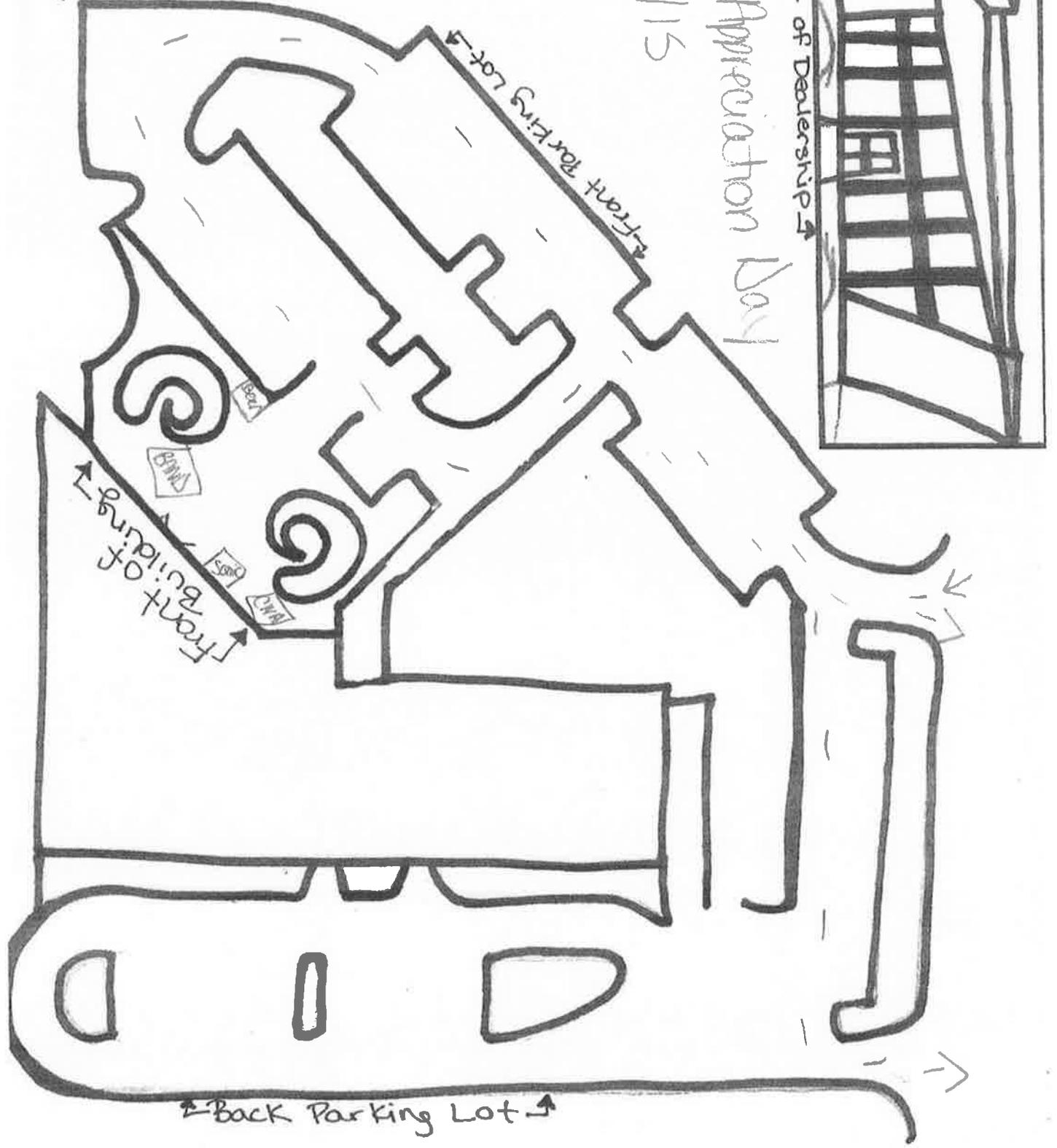
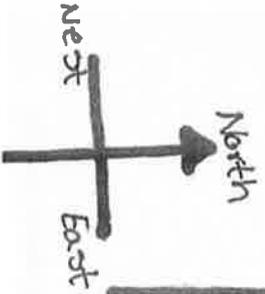
Justin Fix



← Front of Dealership →

Customer Appreciation Day

7/18/15



← Back Parking Lot →

Front of Building →

← Front Parking Lot →