



AGENDA

TUESDAY, APRIL 12, 2016 @ 6:00 P.M.

O'FALLON CITY HALL - 255 SOUTH LINCOLN AVENUE

1. Call to order by Chairman.
2. "Pledge of Allegiance to the Flag."
3. Roll Call and Establishment of Quorum.
4. Reading and approval of the minutes of the previous meeting.
5. Recognition of visitors and their purpose.
6. Unfinished Business
7. Public Hearings –
 - a. **(P2016-02)** - Zoning Amendment Subject to the Planned Development Ordinance from "B-2" General Business District to "B-2(P)" Planned General Business District for an existing art studio to allow students to bring and consume alcoholic beverages on site. No alcohol sales will be conducted on site. Property is located at 300 West State Street. The applicant is Lori Lambeth, Courage & Grace.
8. Reports of Standing and Special Committees – no reports
9. Reports and Communications
10. Adjournment

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.

Community Development Department

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

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DRAFT MINUTES
O’FALLON PLANNING COMMISSION
February 9, 2016

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, present; Al Keeler, absent; Rebecca Pickett, present; Joe Rogers, present; Ray Rohr, present; Larry Sewell, present. A quorum was declared present by Sewell.

MINUTES: Rogers noted the motion to adjourn the meeting of January 12, 2016, was incorrect as Baskett was excused from the meeting. Transcriptionist will review voting record and make the correction. Motion was made by Rohr and seconded by Cavins to approve the minutes of January 12, 2016, as amended. 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.

UNFINISHED BUSINESS: None.

PUBLIC HEARINGS:

(P2016-01) - Zoning Amendment Subject to the Planned Development Ordinance from “SR-2” Single Family Residence Dwelling District to “O-1(P)” Planned Office District for the offices of a real estate firm, building contractor/construction firm with indoor storage and a separate residential home. Property is located at 718 West Highway 50. The applicant is Ron Bright, RGB Surveying for CR Holland Construction

Public hearing was opened at 6:03 p.m. Randall showed maps of the subject and surrounding properties, their zoning, and the Future Land Use Map of the area. Randall presented an overview of the development and detailed:

- Site plan
 - Existing structures and proposed uses
 - Larger house to be remodeled for use of office space
 - Smaller house to be used as a rental house
 - Large pole barn for their company’s equipment, tool and material storage
 - Present private septic sewer service and when connection to City’s sewer system will be required
 - Existing and proposed landscaping
 - Sidewalk along Hwy 50 not necessary at this time for this interim land use
- Proposed development plan conforms to:
 - Comprehensive Plan
 - Zoning Code, except as modified with the requested variances

Shekell explained how this area has, and will continue to transition from residential to office/commercial over the years, and stated this particular development (having previously been a residence) will be almost imperceptible as a business from how it presently looks.

Sewell asked if we have defined interim. Shekell explained it may be difficult to define a length of time because it will be dictated by the market. As some of the available vacant land in area is developed, these particular lots will become more likely to redevelop.

Public comments were opened at 6:14 p.m.

Chad Holland and Ryan Holland of CR Holland Real Estate, and Petitioner Ron Bright were sworn in.

Shekell asked if CR Holland had any comments regarding the property immediately to the east, next to Scott Credit Union property, and if they had a long-term plan for the property. Chad Holland responded that while they are still looking at acquiring the property, they are primarily focusing on the property under review. The cost of the adjoining property and the work necessary to the building is cost prohibitive at this time. He envisioned the properties would likely be torn down and a larger development would be in place.

Chad Holland explained there would be no outdoor storage, landscaping has been started, a fence will be placed out back, minor improvements to the front, up to 32 square feet of monument signage, and a little parking will be added.

Pickett asked about the parking lot lighting requirement. Randall reported their hours of operation typically will not need the additional lighting. Bright and Chad Holland testified there is presently automatic security lighting on site.

Randall affirmed notification was properly made and there have been no statements made against the project.

Public comments were closed at 6:19 p.m.

Staff Recommendation:

Randall read over the Staff Recommendation as follows:

Staff recommends approval of the project as proposed, for a real estate office, rental property and storage for the real estate/construction company, with the follow conditions:

1. A variance to the sidewalk requirement along Highway 50.
2. A variance to allow the landscaping plan to be constructed as shown on the site plan.
3. The use of storage associated with the Planned Use application shall be limited to the owner's property maintenance business and must remain within pole barn. No outside storage is permitted.
4. The Planned Use approval permits a single-family residential unit and permits the office building to revert back to a single-family residential unit in the future.

5. If new construction of a building is proposed in the future, the site will be required to receive a new planned use approval and include improvements, such as tying onto the City's sewer infrastructure, provide the necessary sidewalks and all other development related improvements as defined by the Development Manual and Zoning Code.

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

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

The project moves to Community Development on February 22, 2016, at 6 p.m. The public hearing was closed at 6:21 p.m.

REPORTS OF STANDING AND SPECIAL COMMITTEES: None.

REPORTS AND COMMUNICATION:

Randall announced that there are no petitions awaiting public hearing for neither February 23rd nor March 8th, so those meetings have been cancelled.

There was general discussion about various commercial developments and the Old City Hall Request for Proposals

ADJOURNMENT:

Motion was made by Rohr and seconded by Pickett to adjourn. All ayes. Motion carried. The meeting was adjourned at 6:28 p.m.

Respectfully submitted,

Vicki Evans, Transcriptionist

Minutes approved by Planning Commission



PROJECT REPORT

TO: Planning Commission
FROM: Anne Stevenson, Assistant City Planner
THROUGH: Ted Shekell, Community Development Director
DATE: April 12, 2016
PROJECT: P2016-02: Courage & Grace, Planned Use

Location: 300 West State Street
Ward: 3
Applicant: Lori Lambeth of Courage & Grace
Owner: Cindy Hawkins
Submitted: March 4, 2016

Overview

Lori Lambeth has filed an application requesting a change of zoning from B-2 to B-2(P) for a parcel of land at 300 West State Street. The applicant recently opened an art studio in one of the two commercial tenant spaces and needs planned use approval to allow consumption of alcohol on the site. The applicants will not be selling alcohol, but would like to allow their customers to bring their own alcoholic beverages from home and consume it inside while they are participating in classes.

Zoning & Planned Use

The zoning hearing has been triggered due to §158.116 of the O'Fallon Code of Ordinances which requires planned use approval for "uses offering liquor sales and/or consumption, on- or off-premises." Due to this requirement, the applicant is requesting a change of zoning from B-2, General Business District to B-2(P), Planned General Business District.

The table below summarizes the zoning and land uses of adjacent properties. Please see the attached maps for more detailed information.

	<u>Adjacent Zoning</u>	<u>Adjacent Land Use</u>
North:	B-2 & MR-1	Apartment Building
East:	B-2	Cincotta Photography
South	B-2 & SR-3	(across the tracks) Flooring Fashions & Single Family Homes
West	B-2	Gas Station

Comprehensive Plan - Future Land Use

While working on the Downtown O'Fallon Area Action Plan, staff members noticed that a few locations have been miscategorized on the Future Land Use Map in the Comprehensive Plan. In regards to 300 West State Street, the property has two commercial units on the first floor and four residential units on the second floor. It is zoned B-2, however, the Future Land Use Map shows this property as Multi-Family Residential. This is likely a clerical error made at the time of the planning document since the parcel to the north is multi-family. As a follow up to the downtown

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O'Fallon Area Plan, staff plans to amend the Future Land Use Map to more accurately reflect the desired uses downtown.

The mapping error mentioned above does not negatively affect Courage and Grace's application. Although the existing B-2 zoning district is not consistent with the Comprehensive Plan, the property can continue to be used commercially. If however, a request is made to rezone to a different category (such as B-1) in the future, the rezoning would have to comply with the Comprehensive Plan at that time.

Liquor Consumption

At this time, Chapter 116 of the O'Fallon Code of Ordinances (Alcoholic Beverages) does not make allowances for BYOB (bring your own bottle) type operations. Staff is preparing code language to accommodate these types of requests with a new liquor license. These code changes do not require review by the Planning Commission, but will be brought to the Community Development Committee and City Council concurrent with this Planned Use application. Hours of operation will be restricted by this new liquor license.

Parking

As per Section 158.141, existing buildings in the downtown business district are not required to provide parking if their front door is within 500 feet of a municipal parking lot. 300 West State Street meets this requirement and therefore does not need to provide private parking spaces. However, this property does have access to a few private parking spaces to the west of the building.

Signage

The applicants are not asking for special signage as part of this planned use approval. The sign they requested met city code and was installed with a sign permit issued by the city.

Review and Approval Criteria

Chapter 158, Article 6 of the O'Fallon Code of Ordinances 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 reuse of the existing building will not have a significant impact on traffic, nor will it negatively affect open space, light, air, recreation, or visual enjoyment.
3. The relationship and compatibility of the proposed plan to adjacent properties and the surrounding neighborhood.
Reuse of the existing building will not negatively affect adjacent properties.
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)
As mentioned above, the proposed use is inconsistent with the Comprehensive Plan due to past clerical errors. Even so, the existing zoning in place allows for the proposed use and it is compatible and consistent with the surrounding area. An existing building is not required to comply with 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.

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.

8. The degree of harmony between the architectural quality of the proposed building and the surrounding neighborhood.

The existing building is similar to and 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 existing building is similar to many in the downtown area in that it precedes the creation of many of today's zoning requirements and as such, is not required to comply with many of them after the fact.

Public Notice

Public Notice of this project has been fulfilled in accordance with §§158.255 - 158.256 of the O'Fallon Code of Ordinances. 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.

Staff Recommendation

Staff recommends approval of the project with the following conditions:

- 1) The planned use approval allows for consumption of alcohol inside the building only. Alcohol will not be sold, but customers will be allowed to bring their own beverages from home and consume them on site while they are participating in classes. Should the tenants at any time want to begin to sell alcohol or allow consumption outdoors, a revised planned use will be required.
- 2) On-site consumption will require issuance of a liquor license, pending creation of a "BYOB" liquor license by City Council.

Attachments

Attachment 1 – Project Application

Attachment 2 – Zoning Map

Attachment 3 – Surrounding Land Use Map

MAR - 4 2013



DATE PAID

Planned Use / Re-Zoning Application

NAME OF PROJECT:

Courage + Grace (art studio)

ADDRESS/GENERAL LOCATION:

300 West State Street O'Fallon, IL

SUBDIVISION NAME & LOT NUMBER(S):

PARCEL NUMBER(S):

04-30.0-223-036

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-2

PROPOSED ZONING:

B-2 (P)

PROPOSED # OF LOTS:

PROPOSED # OF DWELLING UNITS:

PROPOSED NUMBER OF BUILDINGS:

PROPOSED GROSS FLOOR AREA:

1400 sq ft

AREA IN ACRES:

.36

PRESENT USE:

studio

APPLICANT INFORMATION:

NAME:

Lori Lambeth

COMPANY:

Courage & Grace

ADDRESS:

300 W. State St
O'Fallon, IL 62269

PHONE:

(217) 341-1190

FAX:

EMAIL:

courage.and.grace.
designs@gmail.com

SIGNATURE OF APPLICANT

DESIGN PROFESSIONAL INFORMATION:

NAME:

COMPANY:

ADDRESS:

PHONE:

FAX:

EMAIL:

SIGNATURE OF DESIGN PROFESSIONAL

DATE RECEIVED:

3-4-16

APPLICATION RECEIVED BY:

APPLICATION FEE:

\$250.00

STAFF USE ONLY

PROJECT ID #:

P2016-02

STAFF ASSIGNED:

PLAN REVIEW FEE DEPOSIT REC'D:

N/A



300 West State Street
O'Fallon, IL 62269

To whom it may concern:

Courage & Grace is an art studio where we teach our students to create a wall worthy piece of art on a shabby chic piece of wood. We began operating out of the space at 300 State Street in January 2016. The business is open primarily in the evenings two to three nights a week and can accommodate groups of up to 30 people. Our customers love to come be creative and learn something new, but also use our classes as a time to relax and socialize with friends. As such, we are seeking this planned use approval in order to allow our customers to bring their own alcoholic beverages from home and consume it at our businesses while they're participating in classes. No alcohol sales will be conducted on site.

Sincerely,
Jennifer Adank and Lori Lambeth
Courage & Grace owners

Cindy Hawkins

2101 Park Road
Belleville, IL 62220

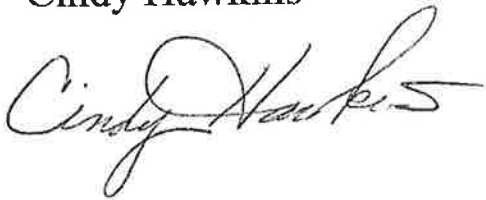
February 15, 2016

To whom it may concern:

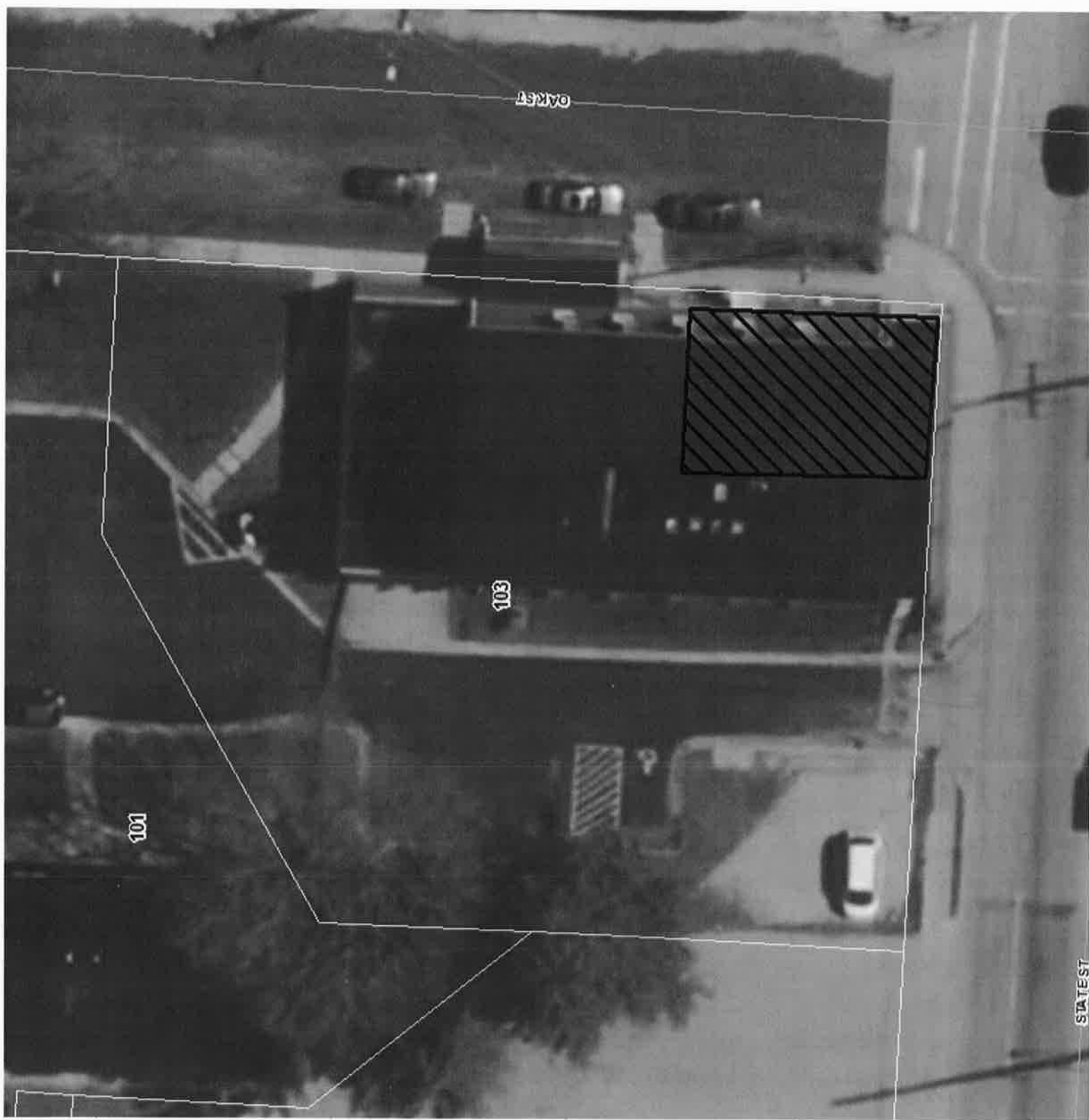
Please be advised that I am the owner of the property located at 300 West State Street, O'Fallon, IL. I have received notice from the tenants, Courage & Grace, that they would like to allow their clients to bring alcohol into the building during painting classes. Below is their rationale for the request. As the owner, please be advised that I support this change to the zoning of my building.

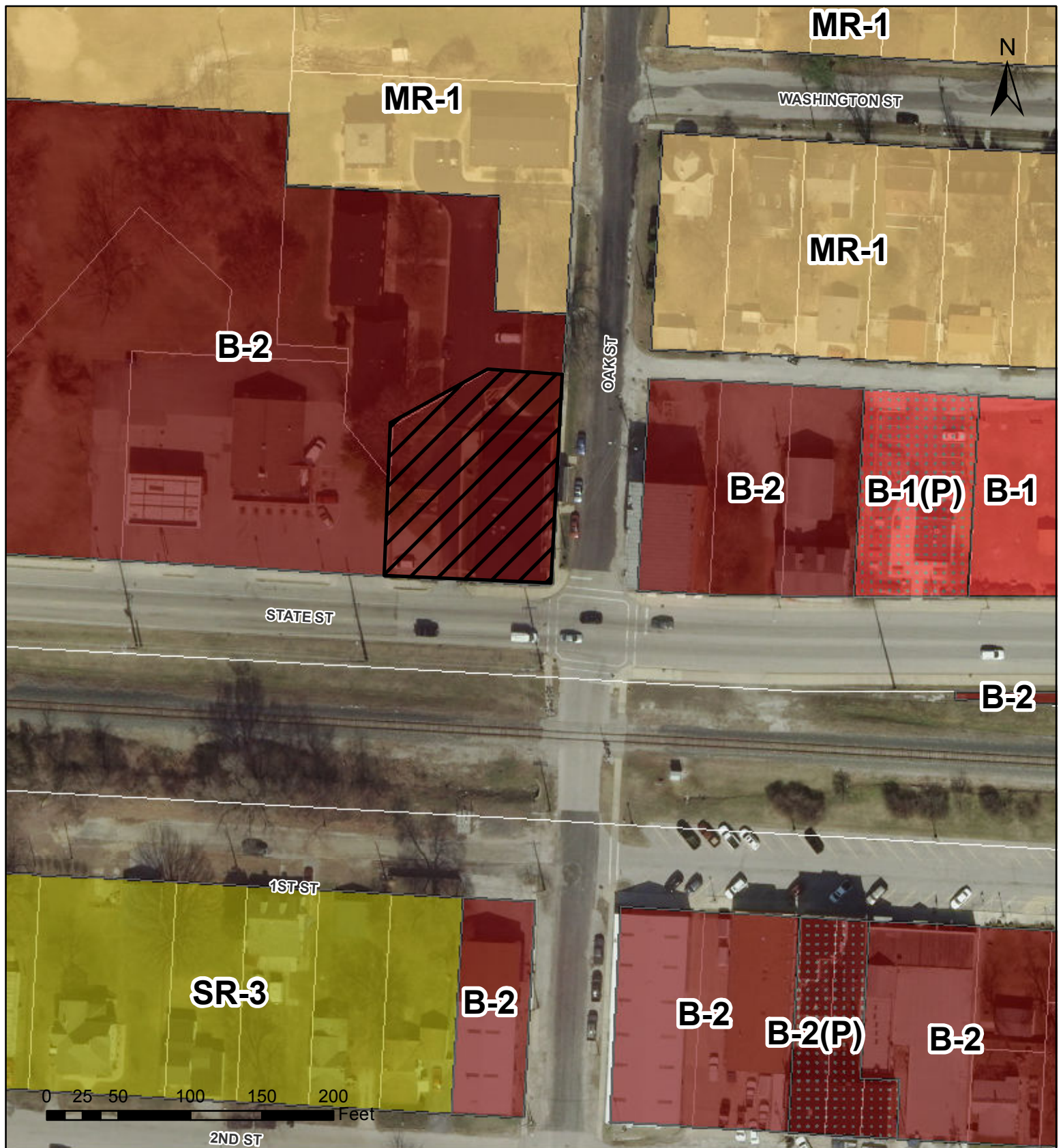
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Cindy Hawkins

A handwritten signature in cursive script that reads "Cindy Hawkins". The signature is fluid and matches the printed name above it.

Owner





P2016-02: Courage & Grace Zoning Map



Subject
Property



P2016-02: Courage & Grace Surrounding Land Use Map



Subject
Property