

CITY OF O'FALLON

GARY L. GRAHAM

Mayor

PHILIP A. GOODWIN

City Clerk

Walter Denton

City Administrator

ALDERMAN

Gene McCoskey Ward 1 John Drolet Ward 4

Richie Meile Ward 1 Michael Bennett Ward 5

Ed True Ward 2 Courtney Cardona Ward 5

Jerry Albrecht Ward 2 Jim Hursey Ward 6

Jerry Mouser Ward 3 Ray Holden Ward 6

Kevin Hagarty Ward 3 David Cozad Ward 7

Herb Roach Ward 4 Harlan Gerrish Ward 7

CITY COUNCIL MEETING

A G E N D A

Monday, May 5, 2014

7:00 P.M. – Council Chambers

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPROVAL OF MINUTES – April 21, 2014

V. PUBLIC HEARING –

VI. REPORTS

A. Residents of O'Fallon – This portion of the City Council meeting is reserved for any resident wishing to address Council. The Illinois Open Meetings Act (5 ILCS 120/1) mandates NO action shall be taken on matters not listed on this agenda, but Council may direct staff to address the topic or refer the matter to a committee. Please provide City Clerk with name & address; speak into microphone; limit presentation to 3 minutes; and avoid repetitious comments. Thank you.

B. Clerk's Report

1. Request from the OTHS Marching Band to conduct a roadblock on Friday, August 8 and Saturday, August 9, 2014 from 8:00 a.m. – 12:00 p.m. each day at the intersections of State and Lincoln and State and Smiley (Pending submission of insurance)

C. Mayor's Report

1. Announcement of Police Department Promotions:
Lt. Reginald "Mick" Hunter to Captain
Sgt. Kerry Andrews to Lieutenant
Ptl. Patrick Feldhake to Sergeant

VII. RESOLUTIONS –

ITEM 1 – Resolution authorizing the Mayor to execute an agreement with DeMond Signs for installation and storage of holiday decorations (Click here to view the staff report)

ITEM 2 – Resolution authorizing the Mayor to execute an agreement with Thouvenot, Wade & Moerchen, Inc. (TWM) for the Misty Valley replacement lift station; area water and wastewater improvements in the amount of \$95,600 (Click here to view the staff report)

ITEM 3 – Resolution authorizing the Mayor to execute an agreement with CSX Transportation, Inc. for the State Street Crossing, CSXT Railroad milepost BC 320.74, in an amount not to exceed \$268,305 (Click here to view the staff report)

ITEM 4 – Resolution authorizing the Mayor to execute an agreement with Bernardin, Lochmueller & Associates (BLA) for land acquisition and easements related to the Highway 50 Turn Lane and intersection improvements project (Click here to view the staff report)

ITEM 5 – Resolution authorizing the Mayor to execute an agreement with Hank's Excavating & Landscaping, Inc. for the calendar year 2014 Concrete Replacement Program in the amount of \$123,234.75 based on unit prices submitted (Click here to view the staff report and bid tab)

ITEM 6 – Resolution authorizing the Mayor to execute an agreement with Christ Brother's Asphalt for Street Resurfacing – CY2014 in the amount of \$592,991.06, based on unit prices submitted (Click here to view the staff report and bid tab)

ITEM 7 – Resolution authorizing the Mayor to sign a collective bargaining agreement between the City of O'Fallon and Local 670, Laborers' International Union of America, AFL-CIO (To be discussed and possibly voted on after Executive Session)

VIII. ORDINANCES

A. 1st reading –

ITEM 8 – Ord. amending Ord. 623, Zoning, Development known as Sunrise Center II to be located at 1334 Central Park Drive – 03-25.0-301-009 (Click here to view the staff report and attachment)

ITEM 9 – Ord. amending Ord. 623, Zoning, Development known as DZ Trucking to be at 97 Betty Lane – 04-29.0-406-048 (Click here to view the staff report and attachment)

ITEM 10 – Ord. amending Ord. 623, Zoning, Development known as Twin Peaks to be at 1180 Central Park Drive – 03-36.0-402-009 (Click here to view the staff report and attachment)

B. 2ND Reading –

11. Ord. Approving the Franchise Agreement (On Hold)

IX. STANDING COMMITTEES

1. Community Development – *Minutes Attached*
2. Public Works – *Minutes Attached*
3. Public Safety
4. Finance/Administration – *Minutes Attached*
5. Parks/Environment

X. EXECUTIVE SESSION – Occasionally, the Council may go into closed session in order to discuss such items covered under 5 ILCS 120/2 (b) which are as follows: Legal Matters; Purchase, Lease or Sale of Real Estate; Employment/appointment matters; Business matters or Security/criminal matters and may possibly vote on such items after coming out of closed session.

XI. ACTION TAKEN ON EXECUTIVE SESSION ITEMS

XII. ADJOURNMENT

**O'FALLON CITY COUNCIL
MINUTES OF THE REGULAR COUNCIL MEETING
Draft April 21, 2014**

The regular meeting was called to order at 7:10 p.m. by Mayor Graham who led the Council in "The Pledge of Allegiance to the Flag."

Philip Goodwin, City Clerk, called the roll: Gene McCoskey, present; Richie Meile, present; Ed True, present; Jerry Albrecht, present; Jerry Mouser, excused; Kevin Hagarty, present; John Drolet, present; Herb Roach, present; Michael Bennett, present; Courtney Cardona, present; Jim Hursey, present; Ray Holden, present; David Cozad, present; Harlan Gerrish, present. A quorum was declared present.

Mayor Graham asked for approval of the minutes. Motion was made by J. Albrecht and seconded by E. True to approve the minutes of April 7, 2014. All ayes. Motion carried.

PUBLIC HEARING – None scheduled.

RESIDENTS: No one came forward.

REPORTS:

Clerk's Report: City Clerk Goodwin read requests from the following:

1. Request from Spencer Pet Rescue to conduct a roadblock on Saturday, June 7, 2014 and Saturday, October 11, 2014 from 9:00 – 2:00 p.m. at the intersection of State and Lincoln
2. Request from OTHS Girls Soccer Boosters to conduct a raffle on April 25, 2014 for assorted baskets
3. Request from St. Clair County Extension and Education Garden Tour Committee to conduct a raffle from April 21 – June 7, 2014 for various prizes

Motion by E. True and seconded by J. Drolet to approve the requests. All ayes. Motion carried.

Mayor's Report: Mayor Graham read a proclamation declaring April 26, 2014 as Arbor Day. H. Gerrish said the ceremony will be held at the Community Garden at State and Smiley on Saturday.

He asked the hockey team to come forward, and he read a Proclamation declaring April 21, 2014 as O'Fallon Township High School Hockey Day.

Mayor Graham announced that this month's Southwestern Council of Mayors will be held Thursday, April 24, 2014 at the Falls Reception and Conference Center in Columbia.

RESOLUTIONS: Motion by J. Albrecht and seconded by E. True to approve Item 1, a Resolution authorizing the Mayor to execute a Resolution of support for the Savannah Hills Pavilion Grant in the amount of \$30,000.

ROLL CALL: McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye, Gerrish, aye. Ayes - 13; Nos – 0. Motion carried.

ORDINANCES: Mayor Graham announced that the 1st reading ordinance would be addressed after Executive Session.

2nd Readings – Motion by J. Albrecht and seconded by M. Bennett to approve Item 3 on 2nd Reading, an Ordinance for amending Chapter 116 of the 2014 Code of Ordinances by establishing a not-for-profit corporation license classification – G-1 and G-2.

ROLL CALL: McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye, Gerrish, aye. Ayes - 13; Nos – 0. Motion carried.

Motion by J. Albrecht and seconded by M. Bennett to approve Item 4 on 2nd Reading, an Ordinance amending Title XI, Chapter 116, Section 116.18 (c) regarding Fees for the 2014 Code of Ordinances.

Motion by K. Hagarty and seconded by H. Roach to amend the ordinance for the not-for-profit organizations to reduce the fees they currently pay by \$100.00.

K. Hagarty stated that the clubs in the area are having a hard time. He said they give a lot back to the community. H. Roach agreed and said they give contributions to scholarships and put on the Memorial and Veterans Day events. For example, they give thousands of dollars to Special Olympics.

Mayor Graham said he received calls from area bars that said they do not feel it is a level playing field, if the clubs do not have to pay the same fee.

ROLL CALL: McCoskey, no; Meile, aye; True, no; Albrecht, no; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, no; Cardona, aye; Hursey, aye; Holden, no; Cozad, no, Gerrish, aye. Ayes - 7; Nos – 6. Motion carried.

Vote on original motion as amended: **ROLL CALL:** McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye;

Hursey, aye; Holden, aye; Cozad, aye, Gerrish, aye. Ayes - 13; Nos – 0. Motion carried.

STANDING COMMITTEES –

Community Development: Motion by J. Albrecht and seconded by M. Bennett to approve the following Special Event requests under the Omnibus Agreement:

- a) Motion to approve the Special Event request from the YMCA to place temporary mobile units for their summer camp program on their site from May 19 – August 22, 2014 with conditions
- b) Motion to approve the Special Event request from Frieze Harley-Davidson to conduct several events at their location on May 18, June 20, and August 15, 2014 with conditions
- c) Motion to approve the Special Event request from Metro East Cycling “O’Fallon Grand Prix Bicycle Race” to conduct their event on June 14, 2014 with conditions

All ayes. Motion carried.

J. Albrecht announced that the next meeting is on April 28th in the Mayor’s Conference room at 6:00 p.m.

Public Works: R. Meile stated they will meet April 28th at 7:00 p.m. in the Mayor’s Conference Room.

Public Safety: K. Hagarty announced they will meet May 12th at 5:00 p.m. in the Mayor’s Conference Room.

Finance/Administration: Motion by M. Bennett and seconded by J. Hursey to approve Warrant #299, in the amount of \$1,792,435.76.

J. Drolet said he had a problem with Porter Road LLC and the Rasp Farm TIF. He was staunchly opposed to the TIF. He said that the developer has not done anything in the Rasp Farm area except move dirt.

Motion by J. Drolet and seconded by H. Roach to amend the warrant by removing the bill from Porter Road, LLC for the Rasp Farm TIF in the amount of \$250,000.

M. Bennett said we had a legal agreement to pay the invoice.

H. Roach agreed with M. Bennett, but stated there is nothing out there.

Mayor Graham replied that it was done to help the people on Dartmouth with the flooding problem. They have had the problem for twenty years. The land was detached from Shiloh. The hospital is being built and it will develop at some point. The objective was to improve Dartmouth.

J. Drolet added that the developer will collect \$350,000 in the next five years. Mayor Graham disagreed with the numbers.

D. Funk reminded the Council that we have a contract that we must abide with. J. Drolet agreed that we must abide by the contract, but he disagreed in principle.

ROLL CALL: McCoskey, no; Meile, no; True, no; Albrecht, no; Hagarty, no; Drolet, aye; Roach, no; Bennett, no; Cardona, no; Hursey, no; Holden, no; Cozad, no, Gerrish, no. Ayes - 1; Nos – 12. Motion failed.

Vote on Original Motion - ROLL CALL: McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, no; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye, Gerrish, aye. Ayes - 12; Nos – 1. Motion carried.

M. Bennett said the committee will meet next Monday at 5:30 p.m.

Parks and Environment: E. True stated they will meet May 12th at 5:30 p.m.

EXECUTIVE SESSION: Mayor Graham said we will have closed session. Motion by J. Albrecht and seconded by G. McCoskey to go into Closed Session to discuss pending litigation and property disposition.

ROLL CALL: McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, aye; Roach, aye; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye, Gerrish, aye. Ayes - 13; Nos – 0. Motion carried.

H. Roach reminded everyone that Alderman Drolet and he are hosting a Ward 4 Town Hall meeting on Thursday at 6:30 p.m. in the Council Chambers.

The Council went into closed session at 7:39 p.m. and returned at 8:26 p.m.

1st Readings – Motion by J. Albrecht and seconded by E. True to approve on 1st reading, Item 2, Ordinance approving the Ameren Franchise Agreement.

ROLL CALL: McCoskey, aye; Meile, aye; True, aye; Albrecht, aye; Hagarty, aye; Drolet, present; Roach, no; Bennett, aye; Cardona, aye; Hursey, aye; Holden, aye; Cozad, aye, Gerrish, aye. Ayes - 12; Present – 1; Nos – 1. Motion carried.

ADJOURNMENT: Motion by J. Albrecht and seconded by J. Hursey to adjourn. All ayes. Motion carried.

The meeting was adjourned at 7:37 p.m.

Submitted by,

Philip A. Goodwin
City Clerk

Minutes recorded by
Maryanne Fair, Deputy City Clerk
Proper notice having been duly given

CITY OF O'FALLON, ILLINOIS
RESOLUTION 2014 -

**AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DEMOND
SIGNS FOR INSTALLATION AND STORAGE OF HOLIDAY DECORATIONS**

WHEREAS, the City of O'Fallon, a municipal corporation, has a need for the installation and storage of holiday decorations, and

WHEREAS, DeMond Signs has accomplished this task for the City over the past three years, and are willing to extend that service for one more year under the existing price.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:**

That the City of O'Fallon authorizes its appropriate representatives to sign a contract with DeMond Signs for the services needed in the amount of \$39,910.00.

Passed and approved this 5th day of May 2014.

ATTEST:

Approved:

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Public Works
Walter Denton, City Administrator
Date: May 5, 2014
Subject: RESOLUTION – Holiday Decoration Storage/Installation

List of committees that have reviewed: Public Works.

Background: Four years ago, with the drawdown of available manpower due to retirements and inability to fully fund new hires in the Public Works Street Division, the City contracted out the installation and storage of holiday decorations. Since then a fire at the Public Works Compound reduced the storage capacity for those decorations as well. Despite the addition of manpower over the past two years, there is still more to be accomplished by our in-house personnel than there are available manhours. Staff has done an analysis of the cost of holiday decoration installation and storage, and found that contracting out these items is marginally economically favorable. Demond Signs has handled these tasks for the past 3 years and has agreed to hold the price for another year at the 2013 rate.

Legal Considerations, if any: None beyond that of obtaining a commercial service contract.

Budget Impact: Funding for the work is budgeted in the FY15 approved Streets Division Budget.

Staff recommendation: Staff recommends accepting the Demond Sign proposal in the amount of \$39,910.00.

CITY OF O'FALLON, ILLINOIS
RESOLUTION 2014 -

**AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH
THOUVENOT, WADE & MOERCHEN, INC, (TWM) FOR THE MISTY VALLEY
REPLACEMENT LIFT STATION; AREA WATER AND WASTEWATER
IMPROVEMENTS IN THE AMOUNT OF \$95,600.00**

WHEREAS, the City of O'Fallon, a municipal corporation, has a need for engineering services for the Misty Valley Replacement Lift Station and area water/wastewater improvements, and

WHEREAS, TWM has the expertise to perform the services the City needs,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:

That the City of O'Fallon authorizes its appropriate representatives to sign the Thouvenot, Wade & Moerchen, Inc., (TWM) agreement for the Misty Valley Replacement Lift Station: Area Water and Wastewater Improvements in an amount not to exceed \$95,600.00.

Passed and approved this 5th day of May 2014.

ATTEST:

Approved:

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor



CITY COUNCIL AGENDA ITEMS

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Public Works
Walter Denton, City Administrator
Date: May 5, 2014
Subject: RESOLUTION – Thouvenot, Wade & Moerchen, Inc., (TWM) – Misty Valley Lift Station Replacement; Area Water and Wastewater, Design Proposal

List of committees that have reviewed: Public Works.

Background: The existing lift station was designed to service only the Misty Valley Subdivision and little else. Its location is not conducive to service any growth in the area due to its positioning. As growth in the area is anticipated, the lift station needs to be replaced as well as improvements to the water and wastewater collection system to accommodate the growth. Staff recommends accepting the agreement without items 6, 7 & 8 listed in the proposal, as those will be done with in-house personnel. Therefore the proposed cost would be \$95,600.00.

Legal Considerations, if any: Normal legal considerations when obtaining professional services.

Budget Impact: Funding is reserved in the approved FY15 Water and Sewer Lines Budget for the start of the needed design work.

Staff recommendation: Staff recommends acceptance of the proposal from Thouvenot, Wade & Moerchen, Inc., in the amount of \$95,600.00.

CITY OF O'FALLON, ILLINOIS
RESOLUTION 2014 -

**AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CSX
TRANSPORTATION, INC. FOR THE STATE STREET CROSSING, CSXT RAILROAD
MILEPOST BC 320.74, IN AN AMOUNT NOT TO EXCEED \$268,305.00**

WHEREAS, the State Street vehicular crossing is in need of permanent repair and a pedestrian crossing is needed as well, and

WHEREAS, the City of O'Fallon, a municipal corporation, is agreeable to executing the agreement for the State Street Crossing over the railroad for the needed work.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:**

That the City of O'Fallon authorizes its appropriate representatives to sign the CSXT agreement for the State Street Crossing in an amount not to exceed \$268,305.00.

Passed and approved this 5th day of May 2014.

ATTEST:

Approved:

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor



CITY COUNCIL AGENDA ITEMS

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Public Works
Walter Denton, City Administrator
Date: May 5, 2014
Subject: RESOLUTION – Agreement with CSX Railroad for State Street Railroad Crossing

List of committees that have reviewed: Public Works

Background: Staff has been working this agreement for over a year through the City Attorney, Dale Funk. There has been a great amount of coordination with the ICC and the railroad resulting in this agreement. Sticking points have been the need for movement of a signal, installation of a new signal for the pedestrian crossing, an easement for the crossing, an easement for the entryway to Rohr Field, and an easement for the pedestrian crossing. The finished product will be a crossing made of segmental concrete pieces similar to the one installed at the Obernuefemann crossing including a single pedestrian sidewalk crossing at the north end.

Legal Considerations, if any: This is an agreement is supported through judicial review by the Illinois Commerce Commission.

Budget Impact: Funds had been reserved in the approved FY15 Prop S budget to support this item in the amount of \$286,305 as per the proposed agreement.

Staff recommendation: Approve the agreement with CSX.

CITY OF O'FALLON, ILLINOIS
RESOLUTION 2014 -

**AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BERNARDIN,
LOCHMUELLER & ASSOCIATES (BLA) FOR LAND ACQUISITION AND
EASEMENTS RELATED TO THE HIGHWAY 50 TURN LANE AND INTERSECTION
IMPROVEMENTS PROJECT**

WHEREAS, the City of O'Fallon, a municipal corporation, has a need for land acquisition services, and

WHEREAS, Benardin, Lochmueller & Associates have IDOT certified appraisers and negotiators to do the needed work.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:**

That the City of O'Fallon authorizes its appropriate representatives to sign a contract with Benardin, Lochmueller & Associates for the professional services needed in the amount of \$28,500.00.

Passed and approved this 5th day of May 2014.

ATTEST:

Approved:

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor



CITY COUNCIL AGENDA ITEMS

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Public Works
Walter Denton, City Administrator
Date: May 5, 2014
Subject: RESOLUTION – Bernardin, Lochmueller & Associates (BLA) Proposal for Land Acquisition Services, Highway 50 Turn Lane and Intersection Improvements

List of Committees that have reviewed: Public Works

Background: With the improvement project, there is a need for easements and potentially fee simple acquisition of small amounts of property related to the project for intersection improvements and the turn lane. The services contained in the proposal will be needed to execute the project. The BLA proposal is for a total of \$28,500 based on the land acquisition and easements envisioned at this time.

Legal Considerations, if any: None beyond the normal ones associated with contracting for professional services.

Budget Impact: Funding for these services is part of the Congestion Mitigation and Air Quality (CMAQ) grant the City has received. The City portion of the work will come from existing MFT funds.

Staff recommendation: Staff recommends acceptance of the BLA proposal for \$28,500 to get the work underway.

CITY OF O'FALLON, ILLINOIS
RESOLUTION 2014 -

**AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HANK'S
EXCAVATING & LANDSCAPING, INC., FOR THE CALENDAR YEAR 2014
CONCRETE REPLACEMENT PROGRAM IN THE AMOUNT OF \$123,234.75 BASED
ON UNIT PRICES SUBMITTED**

WHEREAS, the City of O'Fallon, a municipal corporation, has requirements for Portland cement concrete repair and sidewalk extension;

WHEREAS, Hank's Excavating & Landscaping, Inc., is the low bidder for the work based on unit prices provided.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS, AS FOLLOWS:**

That the City of O'Fallon authorizes its appropriate representatives to sign the agreement with, Hank's Excavating & Landscaping, Inc., for the 2014 Concrete Replacement Program in an amount of \$123,234.75 based on the unit prices provided.

Passed and approved this 5th day of May 2014.

ATTEST:

Approved:

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Public Works
Walter Denton, City Administrator
Date: May 5, 2014
Subject: RESOLUTION – CY2014 Concrete Replacement Program

List of committees that have reviewed: Public Works

Background: The City has routinely contracted for general concrete repair of streets, sidewalks, and drainage structures. The list of repairs and short sidewalk extensions is collected during the prior year. This year's low bidder is Hank's Excavating & Landscaping, Inc., for a total cost of \$123,234.75 based on the unit prices submitted. A tabulation of bids is attached.

Legal considerations, if any: Normal execution of a construction contract.

Budget impact: This item is included in the Public Works FY15 Budget for Proposition S funding.

Staff recommendation: Staff recommends that the contract be awarded to Hank's Excavation & Landscaping, Inc., in the amount of \$123,234.75 based on their unit price bid.

**City of O'Fallon
Bid Tab**

**2014 CONCRETE REPLACEMENT
April 16, 2014**

Hanks's Excavating
Landscaping, Inc
Belleville, IL

LW Contracting, Inc.
Collinsville, IL

	Item	Quantity	Unit	Unit Cost	Extension	Unit Cost	Extension
1	NEW INSTALL PCC SIDEWALK, 4"	200	S.F	\$8.00	\$1,600.00	\$8.50	\$1,700.00
2	REMOVE & REPLACE PCC SIDEWALK, 4"	6,201	S.F	\$8.50	\$52,708.50	\$9.00	\$55,809.00
3	ADA COMPLIANT DETECTABLE WARNING PANEL INCLUDING INSTALLATION	7	EA	\$325.00	\$2,275.00	\$340.00	\$2,380.00
4	REMOVE & REPLACE PCC PAVEMENT, 6" WITH 8"	1,053	S.F.	\$13.25	\$13,952.25	\$14.00	\$14,742.00
5	REMOVE & REPLACE CURB/GUTTER, MOUNTABLE	528	L.F.	\$55.00	\$29,040.00	\$68.00	\$35,904.00
6	INSTALL NEW PCC BARRIER CURB, B6-18	160	L.F.	\$60.00	\$9,600.00	\$44.00	\$7,040.00
7	REMOVE & REPLACE DRIVEWAY SLAB, 4"	1,654	S.F.	\$8.50	\$14,059.00	\$9.50	\$15,713.00
	Total (as Calculated)				\$123,234.75		\$133,288.00

CITY OF O'FALLON, ILLINOIS
RESOLUTION 2014 -

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CHRIST BROTHER'S ASPHALT FOR STREET RESURFACING – CY2014 IN THE AMOUNT OF \$592,991.06, BASED ON UNIT PRICES SUBMITTED

WHEREAS, the City of O'Fallon, a municipal corporation, requires improvements (asphalt overlay) on some asphalt streets, and

WHEREAS, Christ Brother's Asphalt is the low bidder for the work based on unit prices provided.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS, AS FOLLOWS:

That the City of O'Fallon authorizes its appropriate representatives to sign the agreement with, Christ Brother's Asphalt for Street Resurfacing - CY2014 in an amount of \$592,991.06 based on the unit prices provided.

Passed and approved this 5th day of May 2014.

ATTEST:

Approved:

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Public Works
Walter Denton, City Administrator
Date: May 5, 2014
Subject: RESOLUTION – Asphalt Street Resurfacing – CY 2014

List of committees that have reviewed: Public Works

Background: The City usually has an umbrella, asphalt maintenance project every summer supported by Prop S funds. This summer's program is no exception and funding for it was set aside in the approved FY15 budget process.

Legal considerations, if any: Normal for execution of a construction contract.

Budget impact: General asphalt street repair is included in the approved Public Works FY15 Prop S Budget.

Staff recommendation: Staff recommends that the contract be awarded to Christ Brother's Asphalt in the amount of \$592,991.065 based on their unit price bid. (See Bid Tabulation, attached.)

City of O'Fallon
Bid Tab

2014 STREET RESURFACING
April 16, 2014

Christ Brother's Asphalt
Lebanon, IL

	Item	Qty.	Unit	Unit Cost	Extension
1	BITUMINOUS SURFACE REMOVAL	47,687	S.Y.	\$2.00	\$95,374.00
2	BITUMINOUS MATERIALS (PRIME COAT)	4,769	GAL	\$0.00	\$0.00
3	BITUMINOUS CONCRETE SURFACE COURSE "C" N70 MIX	6,762	TON	\$73.13	\$494,505.06
4	TEMPORARY RAMPS	342	S.F.	\$0.00	\$0.00
5	TRAFFIC CONTROL	1	L.S.	\$3,112.00	\$3,112.00
			Total		\$592,991.06

CITY OF O'FALLON, ILLINOIS
RESOLUTION 2014 -

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN A COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE CITY OF O'FALLON AND
LOCAL 670, LABORERS' INTERNATIONAL UNION OF AMERICA, AFL-CIO**

WHEREAS, the City of O'Fallon employs members of the Local 670, Laborers' International Union of America, AFL-CIO;

WHEREAS, an agreement has been reached between the City of O'Fallon and the Local 670, Laborers' International Union of America, AFL-CIO; covering rates of pay, wages, hours of employment and other conditions of employment for members of said union employed by the City of O'Fallon.

NOW, THEREFORE, Be it resolved by the Mayor and City Council of the City of O'Fallon, St. Clair County, Illinois as follows:

That the Mayor is hereby authorized to enter into an agreement with the Local 670, Laborers' International Union of America, AFL-CIO; covering rates of pay, wages, hours of employment and other conditions of employment for members of said union employed by the City of O'Fallon pursuant to the agreement attached hereto, made a part hereof, and marked "Exhibit A."

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

Passed by the City Council this _____ day of May 2014.

ATTEST:

(seal)

Approved by the Mayor this ____ day
of May 2014.

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor



CITY COUNCIL AGENDA ITEMS

To: Mayor and City Council
From: Walter Denton, City Administrator
Date: May 5, 2014
Subject: Resolution authorizing the Mayor to sign a Collective Bargaining Agreement between the City of O'Fallon and Local 670, Laborers' International Union of America, AFL-CIO

List of committees that have reviewed: None

Background: The current contract expired on April 30, 2014. This is the first of the City's union contracts to be considered, so the City Council may want to discuss in Executive Session. Other than wages, all aspects of the contract are identical to previous contracts.

Legal Considerations, if any: The contract will have the same legal restrictions as all of the City's labor union contracts.

Budget Impact: The contract includes wage increases that the City Council may want to discuss in Executive Session prior to consideration.

Staff recommendation: Although the contract is listed under "Resolutions" on the agenda, the City Council has the option to discuss the contract in Executive Session and vote on the contract at the end of the meeting after Executive Session.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
ORDINANCE 623, ZONING
DISTRICTS OF THE CITY OF
O’FALLON, ILLINOIS
(DEVELOPMENT KNOWN AS
“SUNRISE CENTER II”) TO BE
AT 1334 CENTRAL PARK DRIVE
ON PARCEL NUMBER:
03-25.0-301-009**

WHEREAS, the applicant, Moonsung Song with SMA, LLC, has filed an application requesting approval of a planned use rezoning to authorize an amendment in use of a 15,769 square foot building for an additional 3,900 square feet of restaurant use, increasing the square footage of restaurant use from 6,838 to 9,696 at 1334 Central Park Drive in O’Fallon; and

WHEREAS, the applicant has filed an application with the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws, including City Ordinance 3471, “Planned Uses”; and

WHEREAS, the Planning Commission of the City of O’Fallon, Illinois held a public hearing on April 22, 2014, in accordance with state statute, and recommended to approve the petitioner’s request, with added Condition #3: The 20 spaces at the rear of the building are allowed to be reduced to 9 feet in width, to obtain a B-1(P) Planned Community Business District zoning for the property with a vote of 4 ayes to 0 nay as outlined in the adopted Planning Commission Report, attached hereto and declared to be an inseparable part hereof (Exhibit A); and

WHEREAS, on April 28, 2014 the Community Development Committee of the City Council reviewed the rezoning and recommended approval with a vote of 4 ayes to 0 nays.

**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. That upon the effective date of this Ordinance, the described property, known as “Sunrise Center II”, be henceforth classified as zoning district B-1(P) Planned Community Business District, as multi-tenant commercial strip center with 9,696 square feet authorized for restaurant use, with the following conditions:

1. Prior to occupancy of the new restaurant space, the parking lot must be restriped according to the parking plan received on March 24, 2014.

2. A “Do Not Enter” sign must be placed in the landscape island at the end of the employee parking area to indicate the driveway is one-way.
3. The 20 spaces at the rear of the building are allowed to be reduced to 9 feet in width.

Section 2. 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.

Upon its passage and approval, this Ordinance shall be in full force and effect ten (10) days after its publication in pamphlet form as required by law.

Passed by the City Council this _____ day of _____ 2014.

ATTEST:

(seal)

Approved by the Mayor this _____ day
of _____ 2014.

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									



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Ted Shekell, Community Development Director
Walter Denton, City Administrator
Date: May 5, 2014
Subject: P2014-02: Sunrise Center II, Planned Use – 1st Reading

List of committees that have reviewed: The Planning Commission reviewed this application at its April 22, 2014 meeting and unanimously recommended it for approval, subject to conditions recommended by staff and added Condition #3: The 20 spaces at the rear of the building are allowed to be reduced to 9 feet in width. The Community Development Committee reviewed this application at its April 28, 2014 meeting and unanimously recommended it for approval.

Background

Moonsung Song has filed an application requesting an amendment to the planned use approval for a parcel of land at 1334 Central Park Drive from B-1(P) to B-1(P), Planned Community Business District to increase the allowed restaurant space from 6,838 square feet to 9,696 square feet. In 2005, Sunrise Center II was approved as a 15,769 square foot mixed use shopping center. The original approval included one possible restaurant occupying 5,538 square feet to 6,838 square feet of the building and 6-7 small retail shops or offices. Currently, the shopping center has one restaurant occupying approximately 6,100 square feet of the building and two of the smaller retail / office spaces are occupied. The remaining space in the building has never been occupied. The owner has requested the revision to the planned use approval to locate a second restaurant in the shopping center, occupying approximately 3,900 square feet at the western end of the building.

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

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation

Staff recommends approval of the project with the following conditions:

1. Prior to occupancy of the new restaurant space, the parking lot must be restriped according to the parking plan received on March 24, 2014.
2. A "Do Not Enter" sign must be placed in the landscape island at the end of the employee parking area to indicate the driveway is one-way.
3. The 20 spaces at the rear of the building are allowed to be reduced to 9 feet in width.



PROJECT REPORT

TO: Planning Commission
FROM: Justin Randall, Senior City Planner
THRU: Ted Shekell, Director of Community Development
DATE: April 22, 2014
SUBJECT: P2014-02: Sunrise Center II, Amendment to the approved Planned Use

Location: Sunrise Center II, 1334 Central Park Drive
Ward: 5
Owner: Moonsung Song
 SMA, LLC
 5601 Old Collinsville Road
 Fairview Heights, IL 62208
 (618) 624-4498
Submitted: March 18, 2014

Introduction

In 2005, Sunrise Center II was approved as a 15,769 square foot mixed use shopping center. The original approval included one possible restaurant occupying 5,538 square feet to 6,838 square feet of the building and 6-7 small retail shops or offices. Currently, the shopping center has one restaurant occupying approximately 6,100 square feet of the building and two of the smaller retail / office spaces are occupied. The remaining space in the building has never been occupied. The owner has requested the revision to the planned use approval to locate a second restaurant in the shopping center, occupying approximately 3,900 square feet at the western end of the building.

Existing Conditions

Surrounding Zoning:

North: B-1(P)
 East: B-1
 South: B-1
 West: SR-2

Surrounding Land Use

North: Shopping Center
 East: Drainage Channel / Wehrenberg Theaters
 South: Sunrise Center I Shopping Center
 West: Hartman Lane / existing residential

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 additional restaurant.

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 identified as *Regional Commercial* in the Comprehensive Plan. The proposed project is consistent with the Comprehensive Plan. The subject property is located at the intersection of Hartman Lane and Central Park Drive, with commercial centers to the north and south (with restaurants) and additional restaurants along Central Park Drive. According to the applicant, there is an existing restaurant owner looking to relocate his restaurant to O'Fallon. The zoning hearing has been triggered due to the original approval specifically limiting the restaurant space to a maximum of 6,838 square feet of restaurant use. The amendment to the planned use for Sunrise Center II would increase the restaurant use from 6,838 square feet to 9,696 square feet.

Traffic Circulation/Parking

Ingress and Egress: The site will continue to provide access from existing access points off Central Park Drive and through cross access easements to an existing entrance on Hartman Lane.

Parking: When originally approved, the site included parking in the following ratio: 9 spaces per 1,000 sq. ft. of space for the restaurant (max 6,838 square feet or 62 spaces) + 4 spaces per 1,000 square feet for retail space for the balance of center (9,400 square feet or 38 spaces) = 100 total needed for the site. The original site plan provided 102 parking spaces.

The amended planned use proposes to utilize the existing parking lot, which is curbed with a concrete barrier curb. However, the increase area for restaurant use requires more parking than currently provided. According to the amended planned use, the site is required to provide parking with the following ratio: 9 spaces per 1,000 sq. ft. of space for the restaurant (9,696 square feet or 87 spaces) + 4 spaces per 1,000 for retail space for the balance of center (6,082 sq. ft. or 24 spaces) = 111 parking spaces for the site with the additional restaurant space. In order to meet the requirements of the increased parking, the applicant submitted a revised parking plan that mostly meets the intent of the parking code. The parking plan reduces the width of the parking spaces behind the building to 9 feet and providing access to the FDC, which is currently not provided. Additionally, the plan proposes to reduce the access around the building to one-way and providing an additional 8 parallel parking spaces along the eastern edge of the parking lot. The only modification needed to the parking requirements is the 9-foot parking space width for the parking spaces behind the building. Staff is not overly concerned with reducing the width of the parking spaces since they are located in the rear of the building and primarily used by employees of the businesses occupying the site.

Sidewalks: The sidewalks and accessible route will remain in place.

Landscaping and Buffer Requirements

Under the original improvements of the site, the applicant provided the required landscaping. 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 submitted any information about signs and will be bound to the requirements of our current code when signed permits are submitted.

Hours of Operation

The hours of operation for the site should be limited to a closing time of 11:00 pm in an effort to make the hours of operation consistent with previously approved planned uses along Hartman Lane, such as the car wash, which was required to close at 11:00 in an effort to minimize adverse noise and traffic concerns on the sensitive residential uses located directly across Hartman Lane. For the Sunrise Center II site, uses such as bars, nightclubs, arcades, drive-through, and other uses that have heavy traffic circulation, live music, and/or extended hours of operation should not be approved as a future use in this center.

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, except for the minimum width of the parking space along the rear of the building, which is proposed at 9 feet, in lieu of 10 feet. Since the parking area will primarily be utilized by employees, staff recommends approval to modify the width down to 9 feet.
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 development will not have a significant impact on traffic.
3. The relationship and compatibility of the proposed plan to adjacent properties and the surrounding neighborhood.
Allowing additional square footage of the building to be used for a restaurant use should not negatively affect adjacent properties. A parking plan has been designed that meets the intent of the parking code and meets the required parking for the increased restaurant use.
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.
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 proposed development meets the area-bulk requirements set forth in the B-1 Community Business District.

Staff Recommendation

Staff recommends approval of the amendment to a previously approved Planned Use for Sunrise Center II, which will increase the square footage from 6,838 to 9,696, with the following conditions.

1. Prior to occupancy of the new restaurant space, the parking lot must be restriped according to the parking plan received on March 24, 2014.
2. A "Do Not Enter" sign must be placed in the landscape island at the end of the employee parking area to indicate the driveway is one-way.

Attachments

- Attachment 1 – Project Application
- Attachment 2 – Zoning Map
- Attachment 3 – Surrounding Land Use Map
- Attachment 4 – Site Plan



Planned Use / Re-Zoning Application

NAME OF PROJECT: SUNRISE CENTER II
ADDRESS/GENERAL LOCATION: 1334 CENTRAL PARK DR O'FALLON IL
SUBDIVISION NAME & LOT NUMBER(S): _____

PARCEL NUMBER(S): 03-25.0-301-009 CITY OF O'FALLON

MAR 18 2014

DATE PAID

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(P) PROPOSED NUMBER OF BUILDINGS: 1
 PROPOSED ZONING: B-1(P) PROPOSED GROSS FLOOR AREA: 15,779
 PROPOSED # OF LOTS: 1 AREA IN ACRES: 2.1
 PROPOSED # OF DWELLING UNITS: N/A PRESENT USE: 6100 FT² (FOOD), 9,669 FT² (RETAIL) OFFICE

APPLICANT INFORMATION:

NAME: MOONSUNG SONG
 COMPANY: SMA INC
 ADDRESS: 1334 CENTRAL PARK DR SUITE # 5 O'FALLON IL
 PHONE: 618) 558-8999
 FAX: 618) 222-0192
 EMAIL: MOONSUNGSONG@GMAIL.COM

DESIGN PROFESSIONAL INFORMATION:

NAME: ERIC OLSON
 COMPANY: MILLENNIA
 ADDRESS: 11 EXECUTIVE DR SUITE #12 FAIRVIEW HTS IL 62204
 PHONE: 618) 624-2610
 FAX: 618) 624-2611
 EMAIL: _____

SIGNATURE OF APPLICANT

SIGNATURE OF DESIGN PROFESSIONAL

RECEIVED MAR 18 2014		STAFF USE ONLY	
DATE RECEIVED: <u>3-18-14</u>	PROJECT ID #: <u>P2014-02</u>	APPLICATION RECEIVED BY: <u>J. Randall</u>	STAFF ASSIGNED: _____
APPLICATION FEE: <u>\$250.00</u>	PLAN REVIEW FEE DEPOSIT REC'D: <u>N/A</u>		

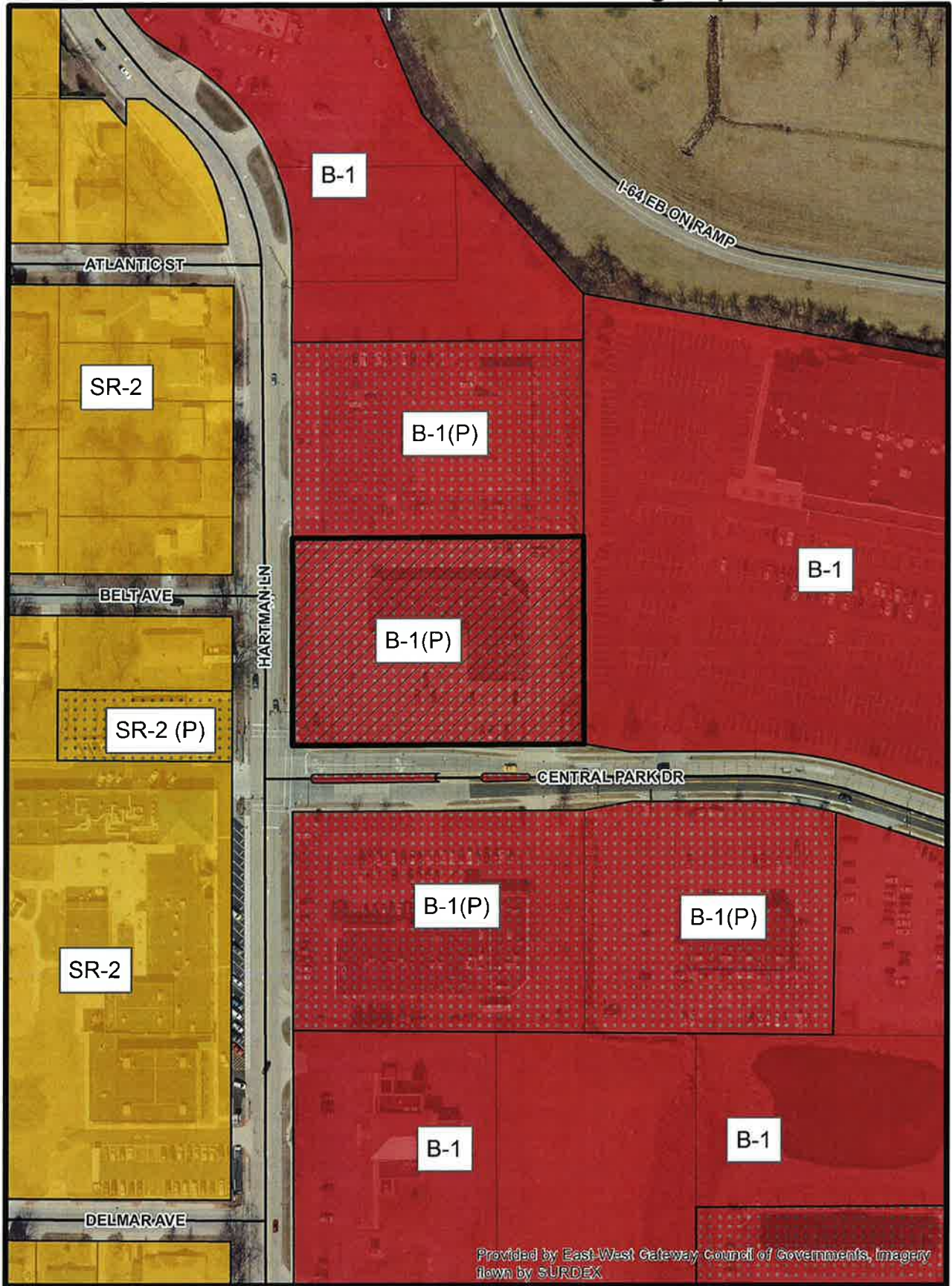
RECEIVED MAR 18 2014

City of O'Fallon,

This letter is sent in support of SMA, Inc.'s request for planned use amendment for 1334 Central Park Drive, O'Fallon, Illinois, 62269. We request that 3,900 sq. ft. be planned for restaurant use instead of its current retail/office designation.

We currently have 102 parking places, but we are adding 9 additional parking places for a total of 111 spaces which is the number of spaces the city required.

P2014-02: Sunrise Center II - Zoning Map



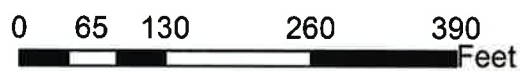
Provided by East-West Gateway Council of Governments, Imagery flown by SURDEX

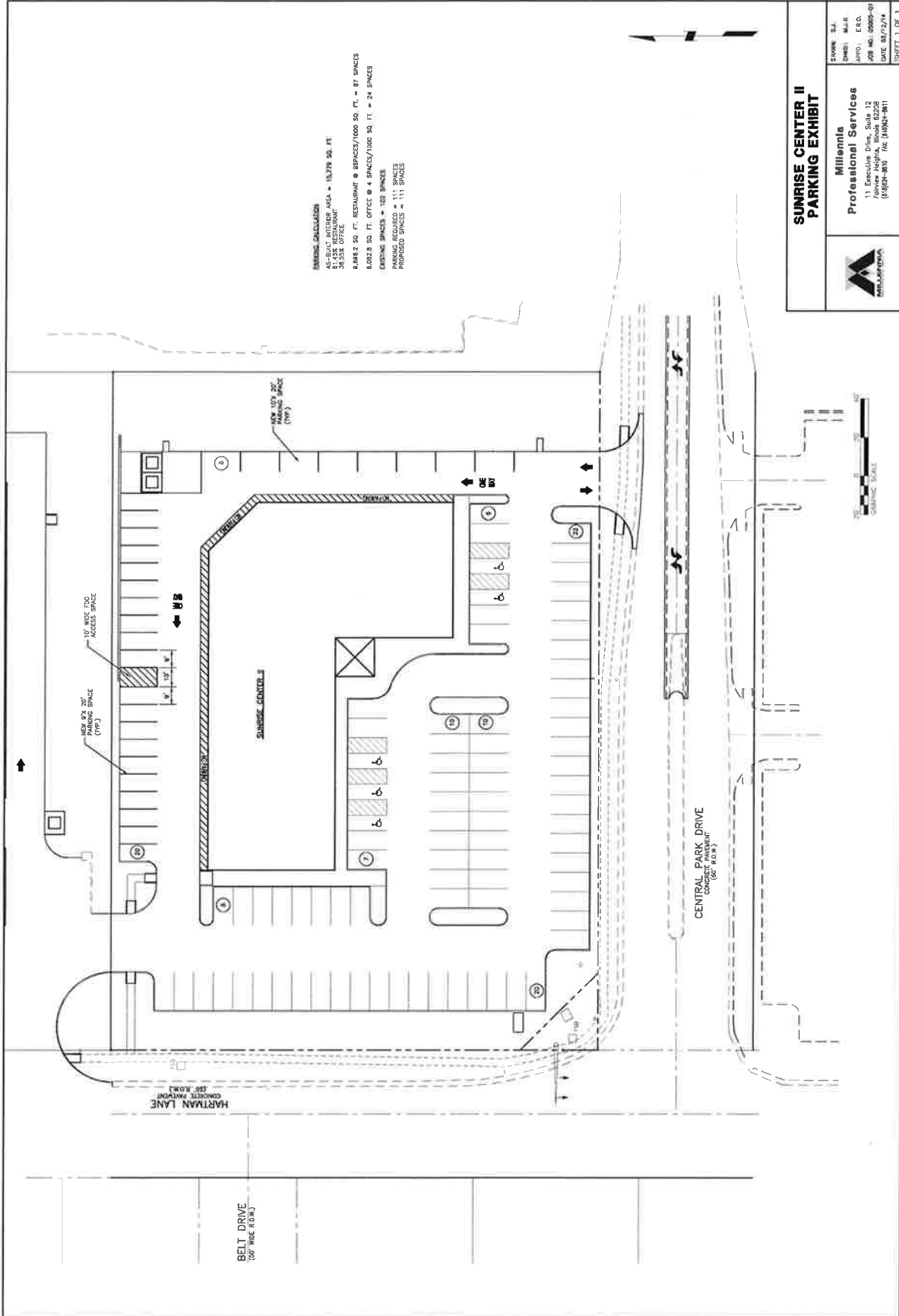
 Subject Property

0 65 130 260 390 Feet



P2014-02: Sunrise Center II - Land Use





PARKING CALCULATION
 TOTAL PARKING AREA = 10,379 SQ. FT.
 61,435 TOTAL SPACES
 38,555 OFFICE
 8,882 50' FT. RESTAURANT @ SPACES/1000 SQ. FT. = 87 SPACES
 6,022 50' FT. OFFICE @ 4 SPACES/1000 SQ. FT. = 24 SPACES
 EXISTING SPACES = 102 SPACES
 PARKING REQUIRED = 111 SPACES
 PROPOSED SPACES = 111 SPACES

**SUNRISE CENTER II
 PARKING EXHIBIT**

	SCALE: 1/4" = 1'-0" DRAWN: M.J.R. APPRO.: E.C.D. JOB NO.: 09005-07 DATE: 03/12/04 (312) 464-8800 FAX: (312) 464-9811
	Millennia Professional Services 11 Executive Drive, Suite 112 Rosemead Heights, Illinois 62228 (312) 464-8800 FAX: (312) 464-9811

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
ORDINANCE 623, ZONING
DISTRICTS OF THE CITY OF
O’FALLON, ILLINOIS
(DEVELOPMENT KNOWN AS
“DZ TRUCKING”) TO BE AT
97 BETTY LANE ON
PARCEL NUMBER:
04-29.0-406-048**

WHEREAS, the applicant, Kevin and Melinda Dall with DZ Trucking, has filed an application requesting approval of a planned use rezoning to authorize an existing trucking dispatch facility located on Parcel 04-29.0-406-048 at 97 Betty Lane in O’Fallon; and

WHEREAS, the applicant has filed an application with the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws, including City Ordinance 3471, “Planned Uses”; and

WHEREAS, the Planning Commission of the City of O’Fallon, Illinois held a public hearing on April 22, 2014, in accordance with state statute, and recommended to approve the petitioner’s request to obtain a B-2(P) Planned General Business District zoning for the property with a vote of 4 ayes to 0 nay as outlined in the adopted Planning Commission Report, attached hereto and declared to be an inseparable part hereof (Exhibit A); and

WHEREAS, on April 28, 2014 the Community Development Committee of the City Council reviewed the rezoning and recommended approval with a vote of 4 ayes to 0 nays.

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. That upon the effective date of this Ordinance, the described property, known as “DZ Trucking”, be henceforth classified as zoning district B-2(P) Planned General Business District, with the following conditions:

1. Any change in use or occupancy of the property or 24 months from the date of approval of the ordinance, a 6-foot wood or vinyl privacy fence with evergreen trees planted every 25 feet on the outside of the fencing would need to be installed along the northern, eastern and southern property line to meet current code requirements.

2. Any change in use to another B-2 use will require Community Development Department review and approval.
3. Improvements to the previously approved detention area must be completed within 6 months of approval of the ordinance.
4. An accessible space designed in accordance with Section 158.145 is required for the site.
5. All tractor-trailers, present and future, entering and exiting the site shall not contain cargo.

Section 2. 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.

Upon its passage and approval, this Ordinance shall be in full force and effect ten (10) days after its publication in pamphlet form as required by law.

Passed by the City Council this _____ day of _____ 2014.

ATTEST:

Approved by the Mayor this _____ day

(seal)

of _____ 2014.

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									



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Ted Shekell, Community Development Director
Walter Denton, City Administrator
Date: May 5, 2014
Subject: P2014-01: DZ Trucking, Planned Use – 1st Reading

List of committees that have reviewed: The Planning Commission reviewed this application at its April 22, 2014 meeting and unanimously recommended it for approval, subject to conditions recommended by staff. The Community Development Committee reviewed this application at its April 28, 2014 meeting.

The committee raised concerns over the use of First Street and Betty Lane for truck traffic. Currently, DZ Trucking's operation is a dispatch trucking facility, bring and leaving with empty semi-trailers only. The concern of the committee was if the site were approved for B-2 Heavy Commercial zoning, the zoning approval could open the site up to having full semi-trailers entering and exiting the property. The condition of First Street and Betty Lane does not lend itself to heavy truck traffic in their current conditions and additional truck traffic could speed the deterioration of the streets. The committee discussed the use of weight limits on the streets and asked staff to provide additional information on limiting truck usage. The committee unanimously recommended it for approval, with a request for staff to provide analysis on the limiting additional heavy truck traffic along First Street and Betty Lane.

In order to address the concerns of the committee over heavy truck traffic, staff recommends placing Condition #5 on the planned use rezoning: All tractor-trailers, present and future, entering and exiting the site shall not contain cargo.

Background

Kevin and Melinda Dall, of DZ Trucking have filed an application requesting rezoning a parcel of land at 97 Betty Lane from SR-3, Single-Family Residential Dwelling District to B-2(P), Planned General Business District. The applicant requested the rezoning to bring the site into conformance with the zoning regulations for the existing trucking dispatch facility and potential sale of the property for other B-2 uses.

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

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation

Staff recommends approval of the project with the following conditions:

1. Any change in use or occupancy of the property or 24 months from the date of approval of the ordinance, a 6-foot wood or vinyl privacy fence with evergreen trees planted every 25 feet on the outside of the fencing would need to be installed along the northern, eastern and southern property line to meet current code requirements.
2. Any change in use to another B-2 use will require Community Development Department review and approval.
3. Improvements to the previously approved detention area must be completed within 6 months of approval of the ordinance.
4. An accessible space designed in accordance with Section 158.145 is required for the site.
5. **All tractor-trailers, present and future, entering and exiting the site shall not contain cargo.**



PROJECT REPORT

TO: Planning Commission
FROM: Justin Randall, Senior City Planner
 Ted Shekell, Planning Director
DATE: April 22, 2014
PROJECT: P2014-01: DZ Trucking, Planned Use

Location: 97 Betty Lane
Ward: 4
Owner: Kevin & Melinda Dall
 DZ Trucking
 PO Box 785
 O'Fallon, IL 62269
 (618) 628-7130
Submitted: March 17, 2014

Introduction

Kevin and Melinda Dall, of DZ Trucking have filed an application requesting rezoning a parcel of land at 97 Betty Lane from SR-3, Single-Family Residential Dwelling District to B-2(P), Planned General Business District. The applicant requested the rezoning to bring the site into conformance with the zoning regulations for the existing trucking dispatch facility and potential sale of the property for other B-2 uses.

History of Site

The property is currently used by DZ Trucking, which is a trucking dispatch facility and office. The site was a part of a larger annexation into the City of O'Fallon in December of 2001. At the time of the annexation, St. Clair County's zoning classification for the area was SR-3, so according when the annexation was processed the property was zoned SR-3 in the City of O'Fallon. The site has operated as a trucking dispatch facility at this location since 1992 and is considered a grandfathered business within the SR-3 zone district.

Existing Conditions

Surrounding Zoning:

North: SR-3
 East: SR-3 & MR-2
 South: MR-2
 West: SR-3 & I

Surrounding Land Use

North: DeMond Signs and single-family residential
 East: Single-family residential
 South: Multi-family residential
 West: DeMond Signs and Discount Storage

Please see the attached maps for more detailed information on surrounding zoning and land uses.

Community Development Department

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

Applicable Ordinance, Documents and Reports

O'Fallon Comprehensive Plan: The O'Fallon Comprehensive Plan Future Land Use Map depicts the subject property as Heavy Commercial, which is consistent with the existing use and the B-2 General Commercial District land uses.

Code of Ordinances: In order to bring the existing trucking facility into conformance with the City's zoning and development codes, the property 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-2, General 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 identified as *Heavy Commercial* in the Comprehensive Plan, which is consistent with the existing use of the property and uses permitted in the B-2 General Business District. The subject property is located on Betty Lane, just west of Seven Hills Road. The site plan shows an approximate 4,000 square foot building for the office and storage for the trucking company. The northern portion of the property has been chip and sealed to create a hard dust-free entrance and parking for 10 vehicles. The remainder of the property is covered in gravel and is used for storage of semi-trailers. There is a 6-foot wood fence along the northern portion of the property along the parking area. The remainder of the lot is open without much screening provided. The southern property line has had a line of evergreen trees planted, however many have died and need to be replaced.

Traffic Circulation/Parking

Ingress and Egress: The site is accessed via an undefined entrance of Betty Lane.

Parking: The parking area is already paved, as required by code. Section 158.136 lists specific parking requirements for transfer and storage uses with the following ratios: 2.5 spaces per 1,000 square feet of office space, plus 1 per employee. The site provides 10 spaces, which provides enough parking for the existing use and other types of General Business District allowed land uses. However, one space will need to meet the requirements of the accessible parking requirements.

On-site circulation: The site has ample room for the movement of semi-trailers and provides for effective on-site circulation.

Landscaping and Buffer Requirements

Section 158.186 of the Code of Ordinances lists the requirements for buffers between various zoning districts. For this particular project, a structural buffer is required to north, east and south, since the site abuts residential land uses. The required buffer is to consist of a six foot tall fence on the property line and additional landscaping to screen the site. Section 158.056 of the code requires fences for buffering to be a "durable, maintenance free material such as vinyl or masonry." However, staff believes a wooden fence will be adequate for the existing site. The landscaping requirements for new construction are rather extensive. In a case such as this involving reuse of an existing property, staff feels requiring only evergreen trees spaced at 25 feet would be adequate.

Code requires a fence to enclose all areas used for outdoor storage. The gravel lot is currently used for outdoor storage or any future uses that would locate on the site. The site is currently grandfather and could remain as a truck

dispatching facility without any improvements. Because of the existing grandfathered use, staff does not recommend requiring the fencing and trees to be placed at the time of approval. However, the owner has initiated the rezoning to the B-2 for the potential to sale the property, therefore staff would recommend a condition that any change in use of the property or 24 months from the date of approval, a 6-foot wood or vinyl privacy fence with evergreen trees planted ever 25 feet on the outside of the fencing would need to be installed along the northern and eastern property lines. Staff would also recommend on the southern property line requiring the fence and the replacement of dead trees.

Outdoor Storage & Noise

The site plan submitted shows an area of the gravel lot to be used to storage semi-trailers. This is permitted by code, but outdoor storage needs to be fenced along the property lines adjoining residential land uses. The noise associated with the outdoor storage of semi-trailers could adversely affect neighboring residential use. While in the future some of the noise may be reduced by the fence and trees, the owner should attempt to minimize the impact of the business by limiting the hours of operation of heavy truck traffic onto the site.

Utilities and Drainage

Public water and sewer is available to serve the subject property. No impervious surfaces are being added however there has been drainage issues with this area for a number of years. The City worked with the owner to assist homeowners to the east to address stormwater issues. The owner created a berm to collect water and release out a small pipe to the downstream properties. The existing detention area has become silted in and may not be functioning properly. Staff would recommend the area be re-graded and measures taken to reduce the silting in of the detention area.

Signage

At this time, the applicant has not submitted any information about signs and will be bound to the requirements of the current codes when and if permits are submitted.

Review and Approval Criteria

Section 158.119 of Article VI "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 does not meet all applicable zoning standards. It is an existing grandfathered site. The changes made by the owner and those recommended in this report will bring the site more closely into compliance with current regulations.
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 development will not have a significant impact on traffic.
3. The relationship and compatibility of the proposed plan to adjacent properties and the surrounding neighborhood.
The continued use and potential reuse of the existing building and site will not negatively affect adjacent properties as long as appropriate buffering and fencing is provided.
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 Commercial Design Handbook does not apply.
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 proposed use will not negatively impact surrounding properties as long as appropriate buffering and fencing is provided. The changes proposed in this report will improve conditions with the surrounding properties compared to the current use.
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. Appropriate buffering and fencing will mitigate any impacts to other nearby properties and limit views of outdoor storage of materials.
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-2 General Business District.

Staff Recommendation

Staff recommends approval of the project with the following conditions:

1. Any change in use of the property or 24 months from the date of approval of the ordinance, a 6-foot wood or vinyl privacy fence with evergreen trees planted ever 25 feet on the outside of the fencing would need to be installed along the northern, eastern and southern property line to meet current code requirements.
2. Any change in use to another B-2 use will require Community Development Department review and approval.
3. Improvements to the previously approved detention area must be completed with 6 months of approval of the ordinance.
4. An accessible space designed in accordance with Section 158.145 is required for the site.

Attachments

Attachment 1 – Project Application

Attachment 2 – Zoning Map

Attachment 3 – Surrounding Land Use Map

Attachment 4 – Site Plan

CITY OF O'FALLON

MAR 17 2014

DATE PAID



Planned Use / Re-Zoning Application

NAME OF PROJECT: DZ Trucking Rezoning

ADDRESS/GENERAL LOCATION: 97 Betty Lane

SUBDIVISION NAME & LOT NUMBER(S): _____

PARCEL NUMBER(S): 04-29-0-406-048

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: SR3

PROPOSED NUMBER OF BUILDINGS: 1 Existing

PROPOSED ZONING: B2-P

PROPOSED GROSS FLOOR AREA: 3950 sf

PROPOSED # OF LOTS: 1

AREA IN ACRES: 1.73 acres

PROPOSED # OF DWELLING UNITS: 0

PRESENT USE: Trucking Dispatch Facility

APPLICANT INFORMATION:

NAME: Kevin Dall + Melinda Dall

DESIGN PROFESSIONAL INFORMATION:

NAME: Marsha Maller

COMPANY: DZ Trucking

COMPANY: TWM Inc

ADDRESS: 97 Betty Lane PO Box 785
O'Fallon IL 62269

ADDRESS: 4940 Old Collinsville
Swansea IL 62226

PHONE: 628-7130

PHONE: 624-4488

FAX: n/a

FAX: 624-6688

EMAIL: n/a

EMAIL: maller@charter.net

Kevin Dall

Marsha Maller

SIGNATURE OF APPLICANT

SIGNATURE OF DESIGN PROFESSIONAL

RECEIVED MAR 17 2014	
DATE RECEIVED: <u>3-17-14</u>	STAFF USE ONLY
APPLICATION RECEIVED BY: _____	PROJECT ID #: <u>P2014-01</u>
APPLICATION FEE: _____	STAFF ASSIGNED: _____
	PLAN REVIEW FEE DEPOSIT REC'D: _____

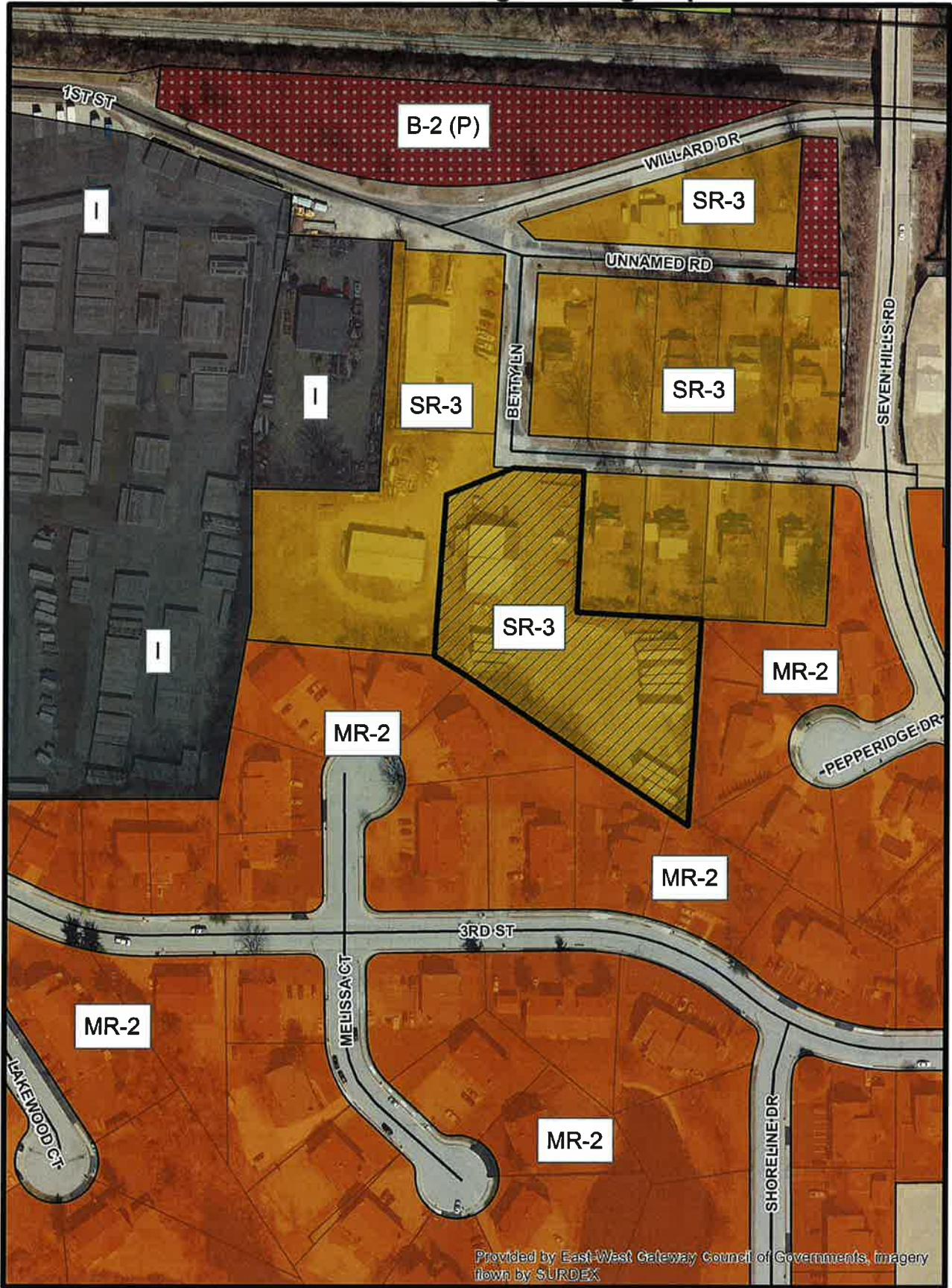
RECEIVED MAR 17 2014

D-Z TRUCKING REZONING PROJECT NARRATIVE

The owners of 97 Betty Lane are seeking a rezoning of their 1.73 acres from SR3 single family residential to B2 heavy commercial. The subject property was annexed into the City of O'Fallon before it was zoned correctly in the County. The City's comprehensive plan indicates that this property should be annexed as heavy commercial. The County is currently assessing the property as commercial requiring substantially more taxes.

On behalf of D-Z Trucking we are requesting a rezoning of the property so the current use is a conforming use in the correct zone district. This will give the owners flexibility to refinance the property or sell the property.

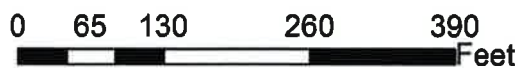
P2014-01: DZ Trucking - Zoning Map



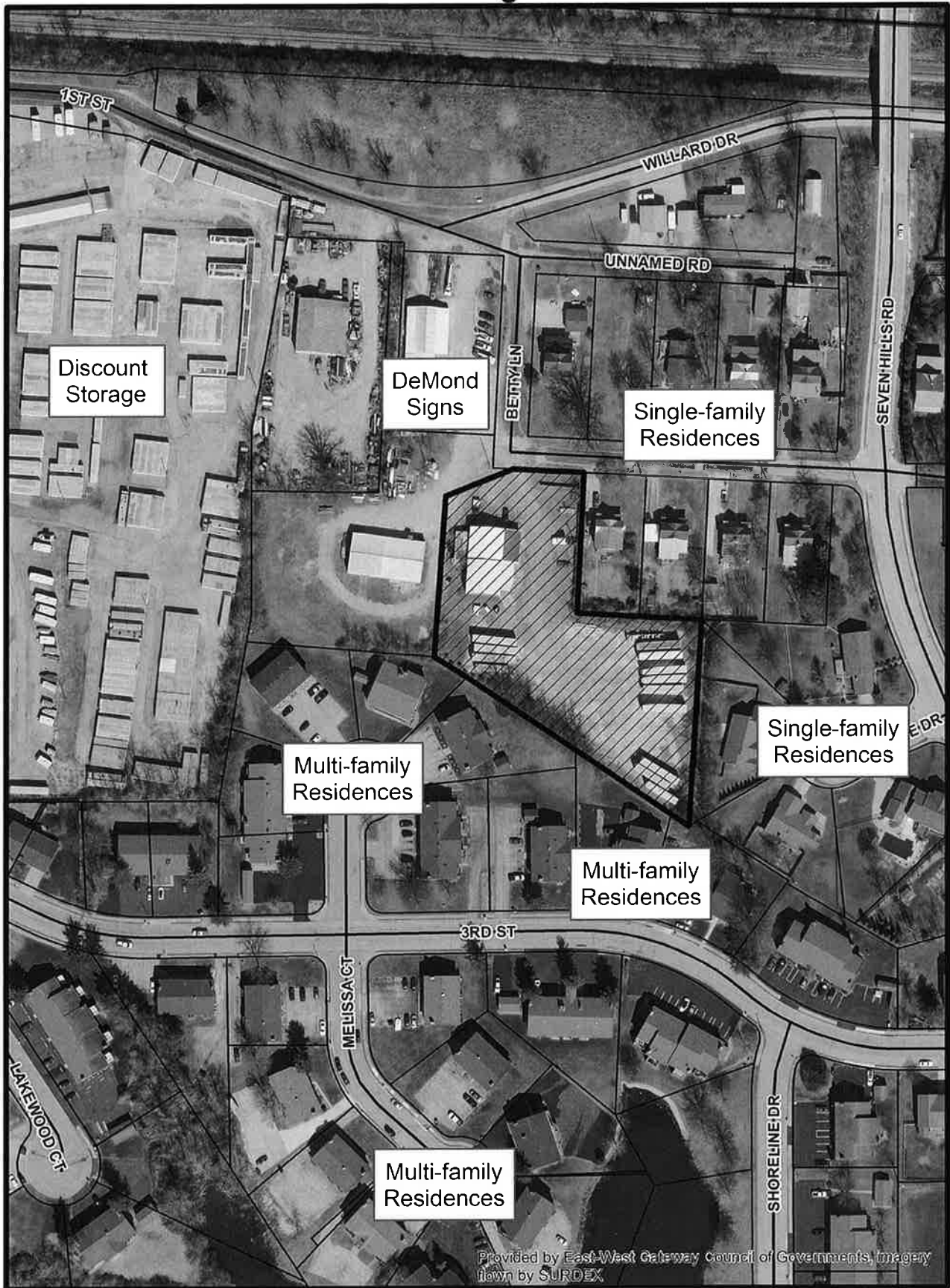
Provided by East-West Gateway Council of Governments, imagery flown by SURDEX



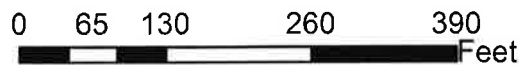
Subject Property



P2014-01: DZ Trucking - Land Uses



 Subject Property



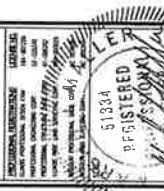
THOUVENOT, WADE & MOERCHEN, INC. ENGINEERING ARCHITECTURE PLANNING

88 CORPORATE OFFICE 4810 OLD COLLETSVILLE RD... TEL: (618) 624-4422 FAX: (618) 624-4888

WATERLOO OFFICE 113 SOUTH MAIN STREET... TEL: (618) 838-5050 FAX: (618) 838-5051

EDWARDSVILLE OFFICE 1000 W. BROADWAY... TEL: (618) 655-4040 FAX: (618) 655-4040

ST. LOUIS OFFICE 1000 W. BROADWAY... TEL: (314) 875-2184 FAX: (314) 875-2184



COVER SHEET AND GENERAL NOTES. PROJECT: ST. CLAIR COUNTY, ILLINOIS. CITY OF FALLON. DZ TRUCKING.

INDEX OF SHEETS

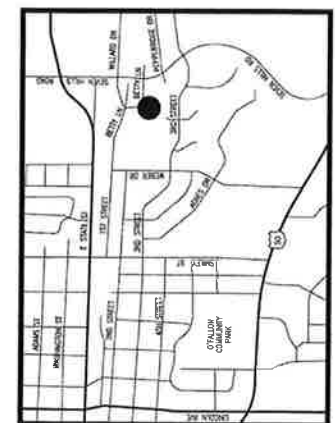
- 1 COVER SHEET AND GENERAL NOTES
2 PRELIMINARY SITE PLAN

PRELIMINARY SITE PLAN FOR DZ TRUCKING Part of the East 1/2 of the South East 1/4 of Section 29 T2N - R.7W., 3rd P.M. City of O'Fallon, Illinois

MARCH 17, 2014

OWNER: DZ TRUCKING, INC. 1000 W. BROADWAY, EDWARDSVILLE, ILLINOIS 62205. TEL: (618) 655-4040

LEGAL DESCRIPTION: PART OF LOT 11 OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 7 WEST, THIRD PRINCIPAL MERIDIAN, ST. CLAIR COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS...



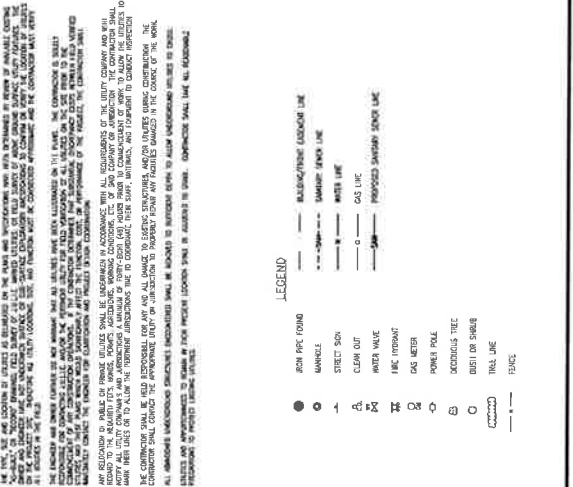
LOCATION MAP

UTILITIES: WATER: 618-624-6500; SANITARY SEWER: 618-624-6511; ELECTRIC: 618-256-4389; GAS: 618-256-4389; TELEPHONE: 618-346-4400; CABLE TV: 618-744-5025; JLLIFE: 1-800-882-0723

CIVIL SITE ENGINEERING NOTES

GENERAL NOTES: ALL WORK, INCLUDING PROPOSED UTILITIES AND VEHICLES ASSOCIATED WITH THIS PROJECT SHALL COMPLY WITH THE FOLLOWING STANDARDS... ALL UTILITIES AND STRUCTURES SHALL BE DESIGNED AND CONSTRUCTED TO MEET THE REQUIREMENTS OF THE ILLINOIS ENGINEERING PROFESSIONAL ACT...

LEGEND



GENERAL NOTES

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF FALLON, ILLINOIS... THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF FALLON, ILLINOIS... THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF FALLON, ILLINOIS...

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
ORDINANCE 623, ZONING
DISTRICTS OF THE CITY OF
O’FALLON, ILLINOIS
(DEVELOPMENT KNOWN AS
“TWIN PEAKS”) TO BE AT 1180
CENTRAL PARK DRIVE ON
PARCEL NUMBER:
03-36.0-402-009**

WHEREAS, the applicant, Paul Khoury with STL Lodge Ventures, has filed an application requesting approval of a planned use rezoning to authorize a new planned use of a 8,615 square foot restaurant at 1180 Central Park Drive in O’Fallon; and

WHEREAS, the applicant has filed an application with the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws, including City Ordinance 3471, “Planned Uses”; and

WHEREAS, the Planning Commission of the City of O’Fallon, Illinois held a public hearing on April 22, 2014, in accordance with state statute, and recommended to approve the petitioner’s request to obtain a B-1(P) Planned Community Business District zoning for the property with a vote of 4 ayes to 0 nay as outlined in the adopted Planning Commission Report, attached hereto and declared to be an inseparable part hereof (Exhibit A); and

WHEREAS, on April 28, 2014 the Community Development Committee of the City Council reviewed the rezoning and recommended approval with a vote of 4 ayes to 0 nays.

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. That upon the effective date of this Ordinance, the described property, known as “Twin Peaks”, be henceforth classified as zoning district B-1(P) Planned Community Business District, as a 8,615 square foot restaurant use, with the following conditions:

1. Future submittal of plans shall meet the standards of a final site plan set forth in Section 158.054, including but not limited to:
 - a. Location map;
 - b. Final grading plans;
 - c. Utility plans;

- d. Details for water and storm sewer lines, pavement and dumpster enclosure elevations.
2. Parking:
 - a. The parking lot perimeter shall be curbed with a 6” rolled or vertical, poured in place, concrete curb;
 - b. Parking spaces shall be a minimum of 10 feet x 19 feet;
 - c. Drive aisles shall be a minimum of 24 feet;
 - d. The site will need to provide 6 accessible parking spaces with aisles.
 3. Access
 - a. Entrances will need to align with existing Menard’s entrances.
 - b. A cross-access easement must be provided to Lot 25D to the southeast. The physical connection will not be required unless mutually agreed to by the lot owner and the future developer of Lot 25D.
 4. Landscaping shall be provided in accordance with Section 158.144, which includes but not limited to:
 - a. Landscape island sizes and locations;
 - b. Planting requirements;
 - c. Perimeter buffer.
 5. Signage will be required to meet the regulations of Article 8 of Chapter 158: Zoning of the Code of Ordinances.
 6. The Contemporary Prototype Building Elevations and signage as proposed is approved, except for the signage on the fourth side (facing Gold’s Gym).

Section 2. 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.

Upon its passage and approval, this Ordinance shall be in full force and effect ten (10) days after its publication in pamphlet form as required by law.

Passed by the City Council this _____ day of _____ 2014.

ATTEST:

(seal)

Approved by the Mayor this _____ day
of _____ 2014.

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									



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Ted Shekell, Community Development Director
Walter Denton, City Administrator
Date: May 5, 2014
Subject: P2014-03: Twin Peaks, Planned Use – 1st Reading

List of committees that have reviewed: The Planning Commission reviewed this application at its April 22, 2014 meeting and unanimously recommended it for approval, subject to conditions recommended by staff. The Community Development Committee reviewed this application at its April 28, 2014 meeting.

The committee discussed the two building elevations proposed by Twin Peaks. The committee came to a consensus to approve the Contemporary Prototype Building Elevations over the Fossil Creek Building Elevations. Therefore, the Contemporary Prototype Building Elevations and signage as proposed is approved, except for the signage on the fourth side (facing Gold's Gym). The committee unanimously recommended Twin Peaks for approval, with staff conditions.

Background

The applicant, Paul Khoury of STL Lodge Ventures has filed an application requesting approval of a new planned use for a parcel of land located at 1180 Central Park Drive, currently zoned B-1(P), Planned Community Business District, for the construction of a new 8,615 square foot restaurant. The site will be developed with the new restaurant building, parking lot, and landscaping. The building will be constructed southeast of the existing Gold's Gym building. The property is currently vacant and was previously approved for Cheddars, however the planned use for the Cheddars site has expired.

Please see the attached Plan Commission Project Report for more detailed information on the proposal. The building elevation attachments have been modified to reflect the building elevations approved by the Community Development Committee.

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation

Staff recommends approval of the project with the following conditions:

1. Future submittal of plans shall meet the standards of a final site plan set forth in Section 158.054, including but not limited to:
 - a. Location map;
 - b. Final grading plans;
 - c. Utility plans;

- d. Details for water and storm sewer lines, pavement and dumpster enclosure elevations.
2. Parking:
 - a. The parking lot perimeter shall be curbed with a 6" rolled or vertical, poured in place, concrete curb;
 - b. Parking spaces shall be a minimum of 10 feet x 19 feet;
 - c. Drive aisles shall be a minimum of 24 feet;
 - d. The site will need to provide 6 accessible parking spaces with aisles.
3. Access
 - a. Entrances will need to align with existing Menard's entrances.
 - b. A cross-access easement must be provided to Lot 25D to the southeast. The physical connection will not be required unless mutually agreed to by the lot owner and the future developer of Lot 25D.
4. Landscaping shall be provided in accordance with Section 158.144, which includes but not limited to:
 - a. Landscape island sizes and locations;
 - b. Planting requirements;
 - c. Perimeter buffer.
5. Signage will be required to meet the regulations of Article 8 of Chapter 158: Zoning of the Code of Ordinances.
6. The Contemporary Prototype Building Elevations and signage as proposed is approved, except for the signage on the fourth side (facing Gold's Gym).



PROJECT REPORT

TO: Planning Commission
FROM: Justin Randall, Senior City Planner
 Ted Shekell, Planning Director
DATE: April 22, 2014
PROJECT: P2014-03: Twin Peaks Planned Use Rezoning

Location: 1180 Central Park Drive
Ward: 5
Applicant: Paul Khoury of STL Lodge Ventures
Owner: Commercial Real Estate Investors, L.P.
Submitted: March 19, 2014

Introduction

The applicant, Paul Khoury of STL Lodge Ventures has filed an application requesting approval of a new planned use for a parcel of land located at 1180 Central Park Drive, currently zoned B-1(P), Planned Community Business District, for the construction of a new 8,615 square foot restaurant. The site will be developed with the new restaurant building, parking lot, and landscaping. The building will be constructed southeast of the existing Gold's Gym building. The property is currently vacant and was previously approved for Cheddars, however the planned use for the Cheddars site has expired.

Existing Conditions

Surrounding Zoning: North: B-1 East: B-1 South: B-1(P) West: B-1	Surrounding Land Use: North: Interstate 64 East: Commercial (Aroy Thai, Starbucks, Drury Inn) South: Commercial (Menards) West: Commercial (Gold's Gym)
---	--

Applicable Ordinances, 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 proposed project.

Code of Ordinances: The proposed restaurant with on premise consumption of liquor (indoor and outdoor) 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

Community Development Department

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

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 identified as *Regional Commercial* in the Comprehensive Plan. The proposed restaurant is consistent with the Comprehensive Plan. The subject property is surrounded by commercial uses to the east, south and west and Interstate 64 to the north. The site plan provided proposes an 8,615 square foot restaurant, with outdoor seating. A planned use rezoning is required because the project includes new construction of a restaurant proposed restaurant with on premise consumption of liquor (indoor and outdoor) and has been proposed after the expiration of the planned use approval for a previous restaurant at this location

Traffic Circulation/Parking

Ingress and Egress: Access to the site will be by means of two access points from Central Park Drive. As currently submitted, staff is not able to determine the alignment of the entrances with the existing Menard's entrances. However, to the extent possible the entrances should align with the existing Menard's entrances.

Parking: Restaurants are required to provide 9 parking spaces per 1,000 square feet of gross floor area. The 8,615 square foot restaurant requires 78 parking spaces. The development has proposed 171 spaces, including 4 accessible spaces. The site plan will need to provide 6 accessible spaces, with an aisle area for each space to meet the parking requirements. All parking spaces will be required to be 10 feet in width and 19 feet long to meet the City's dimensional requirements. Additionally, the plans do not account for parking lot lighting, which will have to meet the standards of Section 158.143.

On-site circulation: On-site circulation has been reviewed by staff. Staff has not been able to determine the width of the drive aisles. However, if constructed with 24-foot drive aisles, the use of planters and directional signage depicted on the site plan will effectively address internal, as well as external, traffic control. A cross access easement to the lot to the southeast will be required. However, the stub will not be built unless mutually agreed to by both property owners when the vacant lot is developed.

Utilities and Drainage

Public water and Caseyville sewer is available to serve the subject property. Storm water will flow to existing storm sewers within the lot that tie into the existing storm water network along Central Park Drive. Additional information will be needed to determine whether all stormwater flow is directed to the regional detention basin for the development. The previous submittal proposed the northern portion of the site would drain into the Interstate 64 interchange right-of-way and would have required a permit from IDOT.

Building and Site Improvements

The proposed 8,615 SF building, 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, awnings 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 principal building.

Sidewalk

Per City requirements, a sidewalk is required to be installed in front of all new developments. The plan is showing a sidewalk along Central Park Drive, with an accessible route to the building proposed. Sidewalks through the entrances need to be shown to be constructed separately from the entrance.

Landscaping and Buffer Requirements

The plan does not provide for any landscaping on the site. A landscape plan will have to meet the City's requirements for landscaping the parking lot, street landscaping along Central Park Drive, provide a 7-foot buffer around the perimeter of parking lot and landscaping in the parking lot islands.

Signage

The plan does provide a location for a monument sign along Central Park Drive, 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.

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,
Staff is unable to determine at this time if the project meets all applicable zoning standards. However, staff believes with the conditions recommended in the staff report, the plan will comply with 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 development will not have a significant impact on traffic.
3. The relationship and compatibility of the proposed plan to adjacent properties and the surrounding neighborhood.
The new restaurant will not negatively affect adjacent properties. The Central Park Drive corridor is a commercial corridor with a variety of retail, service and restaurant businesses.
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 and the design of the buildings meets the intent 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.
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 proposed 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 proposed development will be required to meet the area-bulk requirements set forth in the B-1 Community Business District.

Staff Recommendation

Staff recommends approval of the project with the following conditions:

1. Future submittal of plans shall meet the standards of a final site plan set forth in Section 158.054, including but not limited to:
 - a. Location map;
 - b. Final grading plans;
 - c. Utility plans;
 - d. Details for water and storm sewer lines, pavement and dumpster enclosure elevations.
2. Parking:
 - a. The parking lot perimeter shall be curbed with a 6" rolled or vertical, poured in place, concrete curb;
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 - c. Drive aisles shall be a minimum of 24 feet;
 - d. The site will need to provide 6 accessible parking spaces with aisles.
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 - b. A cross-access easement must be provided to Lot 25D to the southeast. The physical connection will not be required unless mutually agreed to by the lot owner and the future developer of Lot 25D.
4. Landscaping shall be provided in accordance with Section 158.144, which includes but not limited to:
 - a. Landscape island sizes and locations;
 - b. Planting requirements;
 - c. Perimeter buffer.
5. Signage will be required to meet the regulations of Article 8 of Chapter 158: Zoning of the Code of Ordinances.

Attachments

Attachment 1 – Project Application

Attachment 2 – Zoning Map

Attachment 3 – Surrounding Land Use Map

Attachment 4 – Site Plan

Attachment 5 – Building Elevations

Being refunded

CITY OF O'FALLON

MAR 19 2014

DATE PAID

\$200.00

CITY OF O'FALLON

MAR 20 2014

DATE PAID

\$250.00



Planned Use / Re-Zoning Application

NAME OF PROJECT: Twin Peaks - Central Park Plaza - Lot 25C
ADDRESS/GENERAL LOCATION: 1180 Central Park Drive, O'Fallon, IL 62209
SUBDIVISION NAME & LOT NUMBER(S): Central Park Plaza 4th Add - 25C

PARCEL NUMBER(S): 03360402009

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

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

AMENDMENT OF APPROVED PLANNED USE (\$250.00)

SUMMARY DATA (RESPOND TO ALL THAT APPLY):

PRESENT ZONING: B-1(P)
PROPOSED ZONING: B-1(P)
PROPOSED # OF LOTS: (1)
PROPOSED # OF DWELLING UNITS: 0

PROPOSED NUMBER OF BUILDINGS: (1)
PROPOSED GROSS FLOOR AREA: +/- 6,315 sq. ft.
AREA IN ACRES: +/- 2.3 acres
PRESENT USE: N/A (vacant land)

1,800 sq. ft. patio

APPLICANT INFORMATION:

NAME: Mr. Paul Khoury
COMPANY: STL Lodge Ventures - Twin Peaks
ADDRESS: 10220 W. 87th Street
Overland Park, KS 66212
PHONE: 913.648.6303
FAX: 314.433.4041
EMAIL: jboehm@stl.com

DESIGN PROFESSIONAL INFORMATION:

NAME: Mr. Rich Obertino
COMPANY: TAE Architects
ADDRESS: 9812 Manchester Rd.
St. Louis, MO 63119
PHONE: 314.395.9750
FAX: 314.395.9751
EMAIL: rich.obertino@taearchitects.com

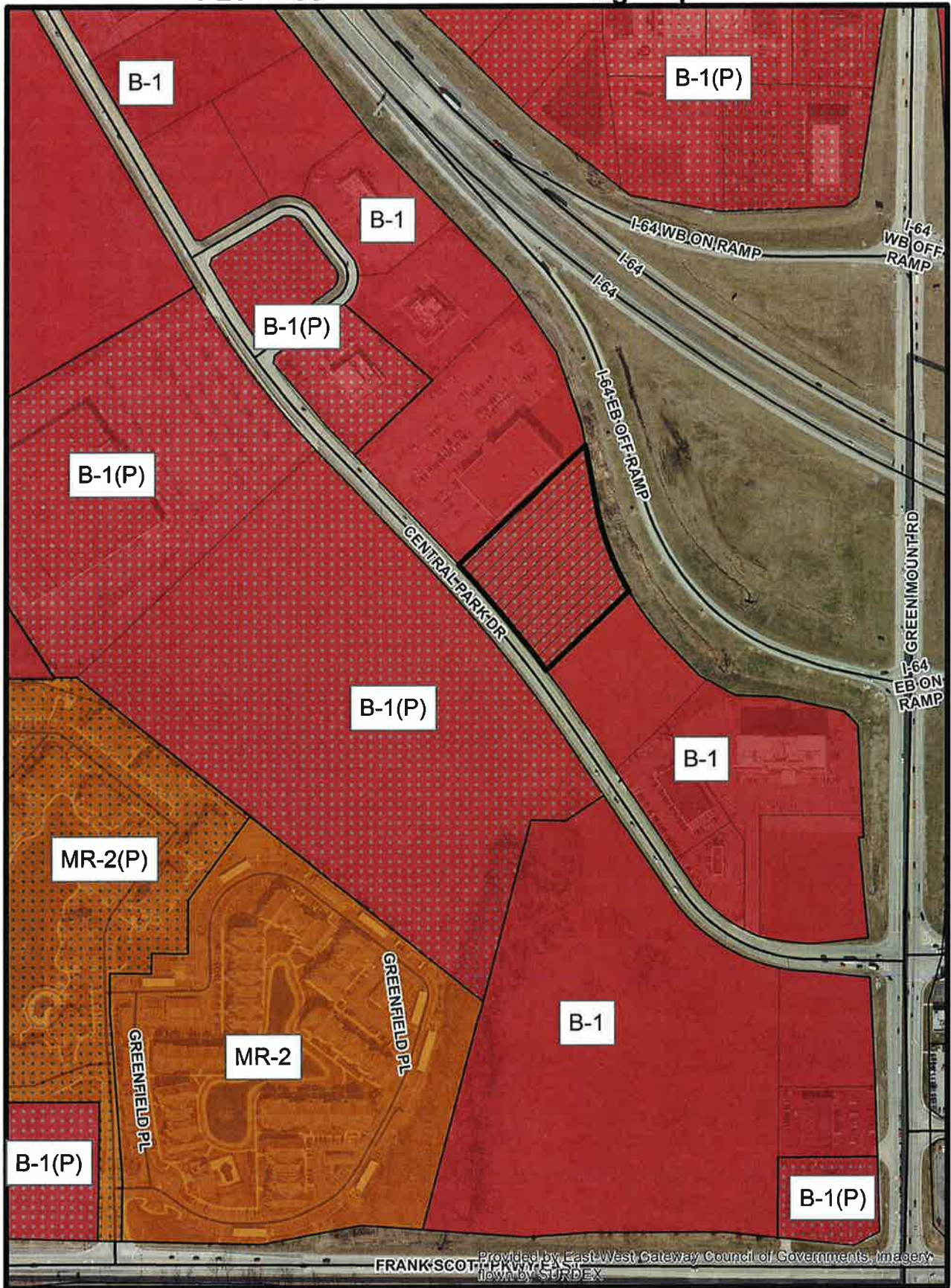
[Signature]
SIGNATURE OF APPLICANT

[Signature]
SIGNATURE OF DESIGN PROFESSIONAL

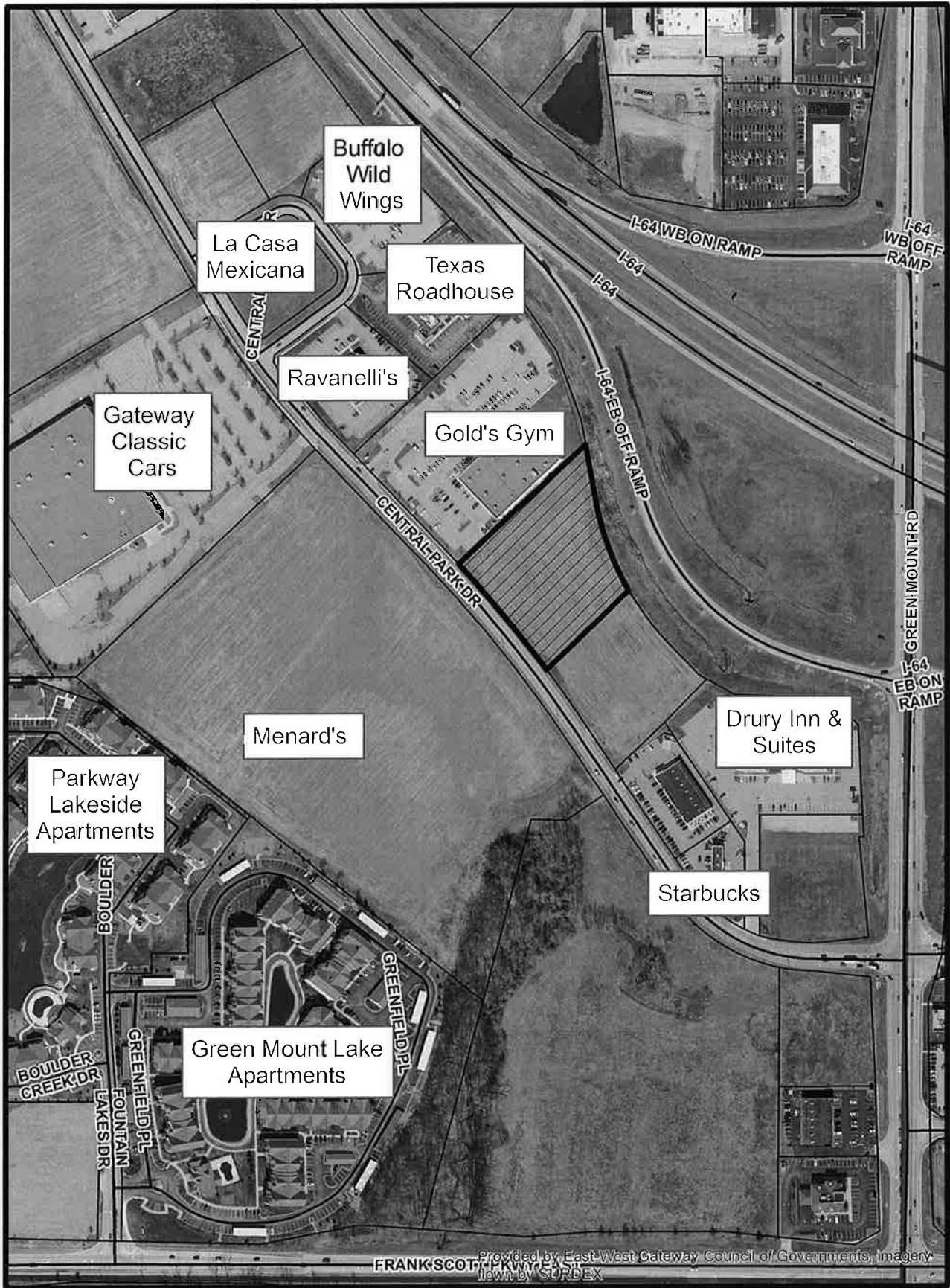
DATE RECEIVED: <u>03-17-14</u>	STAFF USE ONLY
APPLICATION RECEIVED BY: _____	PROJECT ID #: <u>P2014-03</u>
APPLICATION FEE: <u>\$250.00</u>	STAFF ASSIGNED: _____
	PLAN REVIEW FEE DEPOSIT REC'D: <u>N/A</u>

paid \$200.00 03-17-14
paid \$250.00 03-20-14

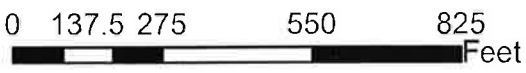
P2014-03: Twin Peaks - Zoning Map



P2014-03: Twin Peaks - Land Use

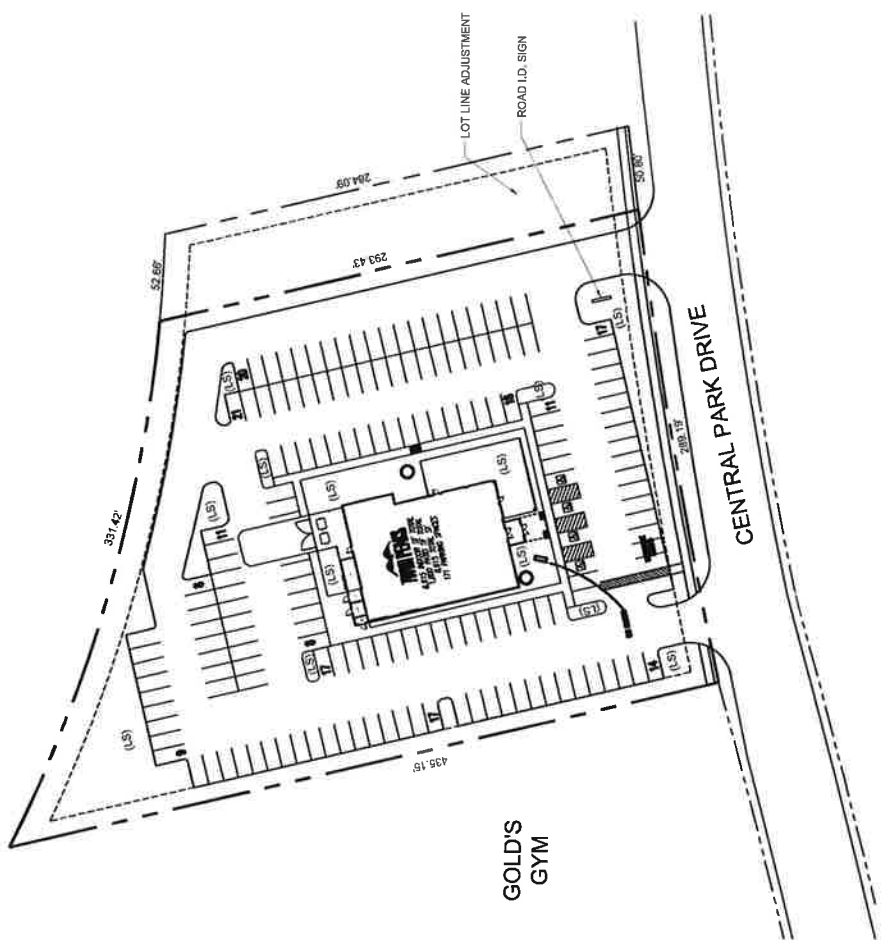


 Subject Property



FRANK SCOTT Provided by East West Gateway Council of Governments, Imagery from SURDEX

SITE DATA	
LAND AREA:	2.32 ACRES
BUILDING AREA:	8,615 +/- S.F.
PARKING DATA:	19.8/1000 SF
RATIO REQUIRED	TBD
PROVIDED	171 CARS



30 BURTON HILLS BLVD - SUITE 185 - NASHVILLE, TN 3721

CENTRAL PARK DRIVE
 O'FALLON, IL
 CONCEPT SITE PLAN
 SCALE: 1" = 20'
 DATE: 02-05-14



Contemporary Prototype Building Elevations



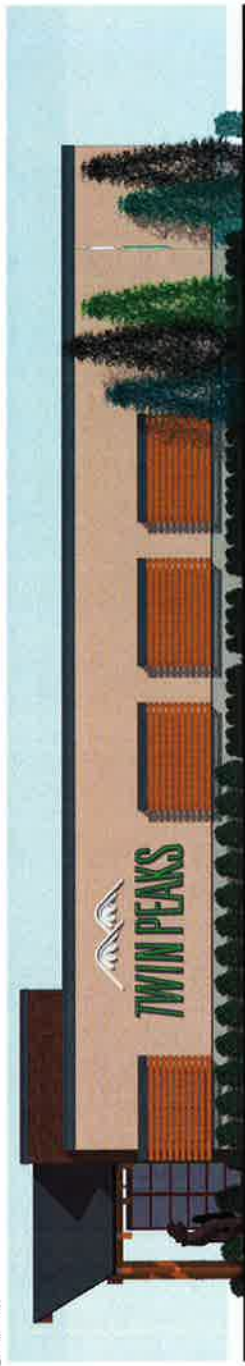
1 Front Elevation

3/16" x 1/2"



2 Left Elevation

3/16" x 1/2"



3 Right Elevation

3/16" x 1/2"



4 Rear Elevation

3/16" x 1/2"



**Public Works Committee
Minutes
7:00 P.M.; April 28, 2014**

DRAFT

Minutes of a meeting of the City of O'Fallon's Public Works Committee, held in the Council Chambers, City Hall, 255 S. Lincoln, O'Fallon, Illinois on April 28, 2014.

CALL TO ORDER: Time: 7:08 P.M.

ROLL CALL: MEMBERS: Meile, Roach, Bennett, Drolet; Absent: Cozad
NON-COMMITTEE ALDERMEN: Albrecht, Hagarty; True, Gerrish
STAFF LIAISON: Bell, Sullivan, Bowman, Nolan, Taylor, Evans, Funk, Denton
GUESTS: Georgia Hillyer, Vern Malare, Dave Pfeifer, Charlie Pitts

Minutes from March 24, 2014 were approved.

Item 1: POI: Shiloh/District 104's Safe Routes to Schools - Nothing to report as documentation on the use of existing sidewalks and bike/pedestrian way is still at IDOT-Springfield for approval. (Open)

Item 2: POI: Water Meter, 124 Springfield Court - Staff presented information on what Illinois American (IAWC) Water charges in Shiloh and Belleville for larger meters. IAWC does not use the same format for charging customers for larger meters as O'Fallon does, but the outcome is similar. O'Fallon has a minimum usage, while IAWC has facility and fire protection charges that are driven by the size of the meter. Bottom line is that when looking at IAWC and other municipal systems in the area, all of them have some charge related to the meters serving other than residential accounts. After some discussion, staff will research the cost of lowering the minimum usage for larger meters on the O'Fallon Water System. (Open)

Item 3: AI: Holiday Decoration Storage/Installation - Staff presented an analysis of in-house costs for decoration installation, removal and storage which found that contracting out these items is marginally economically favorable. Four years ago, with the drawdown of available manpower due to retirements and inability to fully fund new hires in the Public Works Street Division, the City contracted out the installation and storage of holiday decorations. Since then a fire at the Public Works Compound reduced the storage capacity for those decorations as well. Despite the addition of manpower over the past two years, there is still more to be accomplished by our in-house personnel than there are available manhours. Demond Signs has handled the holiday decoration tasks for the past 3 years and has agreed to hold the price for another year at the 2013 rate. (Closed)

Motion: Committee recommends approval of the Demond Sign proposal in the amount of \$39,910.00.

POI: Point of Information
AI: Action Item

Item 4: **AI:** Misty Valley Lift Station Replacement; Area Water and Wastewater Improvements - Design Proposal – Staff presented an agreement with Thouvenot, Wade & Moerchen, Inc., (TWM). The existing lift station was designed to service only the Misty Valley Subdivision and little else. Its location is not conducive to service any growth in the area due to its positioning. As growth in the area is anticipated, the lift station needs to be replaced as well as improvements to the water distribution and wastewater collection systems to accommodate the growth. Staff recommends accepting the agreement without items 6, 7 & 8 listed in the proposal, as those will be done with in-house personnel. Therefore the proposed cost would be \$95,600.00. (Closed)

Motion: Committee recommends approval of the TWM agreement as stated by the Director of Public Works without items 6, 7 & 8 listed in the proposal in the amount of \$95,600.00.

Item 5: **AI:** Highway 50 Turn Lane and Intersection Improvements Project - ROW and Easement Acquisition Proposal – Staff presented a proposal from Bernardin, Lochmueller & Associates, Inc., (BLA). With the improvement project, there is a need for easements and potentially fee simple acquisition of small amounts of property related to the project for intersection improvements and the turn lane. The services contained in the proposal will be needed to execute the project. The BLA proposal is for a total of \$28,500 based on the land acquisition and easements envisioned at this time. (Closed)

Motion: Committee recommends approval of the BLA proposal for the Highway 50 Turn Lane and Intersection Improvements Project ROW and Easement Acquisition in the amount of \$28,500.00.

Item 6: **AI:** General Concrete Repair Project Bids – Staff presented the bid tab. Hank's Excavating & Landscaping, Inc., is the low bidder out of the two bids received. This is a unit price bid contract and the amount of payment is dependent on items added or deleted to the original scope. (Closed)

Motion: Committee recommends approval of the bid to Hank's Excavating & Landscaping in the amount of \$123,234.75 based on unit pricing bid.

Item 7: **AI:** Street Resurfacing Project Bids – Staff presented the bid tab. Christ Brother's Asphalt was the only bidder. This is a unit price bid and the amount of payment is dependent on items added or deleted to the original scope. The amount bid was under the estimated amount. (Closed)

Motion: Committee recommends approval of the bid to Christ Brother's Asphalt in the amount of \$592,991.06 based on unit pricing bid.

Item 8: AI: CSX Construction Agreement, State Street Crossing – Staff presented an agreement with CSX. Staff has been working this agreement for over a year through the City Attorney, Dale Funk. There has been a great amount of coordination with the ICC and the railroad resulting in this agreement. Sticking points have been the need for movement of a signal, installation of a new signal for the pedestrian crossing, an easement for the crossing, an easement for the entryway to Rohr Field, and an easement for the pedestrian crossing. The finished product will be a crossing made of segmental concrete pieces similar to the one installed at the Oberneufemann crossing including a single pedestrian sidewalk crossing at the north end. (Closed)

Motion: Committee recommends approval of the CSX agreement for the State Street Crossing in the amount of \$286,305.00.

ADJOURNMENT: 8:35 P.M. PREPARED BY: Heide Bell

Next regular meeting is scheduled for Tuesday, May 27, 2014 at 7:00 P.M., to be held in the Mayor's Conference Room or Council Chambers at City Hall dependent upon the number of visitors at the meeting.

**FINANCE AND ADMINISTRATION
MEETING MINUTES
Monday, April 28, 2014**

Minutes of a meeting of the Finance and Administration Committee of the City of O'Fallon, held in the Mayor's Conference Room, City Hall, 255 S. Lincoln, O'Fallon, Illinois on April 28, 2014. Call to order by J. Albrecht Time: 5:31 p.m. QUORUM PRESENT

Roll Call:

Committee Members:		Other Alderman Present:		City Staff:	
Chairman Bennett	X	Roach	X	S. Evans	X
Albrecht	X	Meile	X	Denton	X
Gerrish	X	Mouser	X	Funk	X
McCoskey	X	Hagarty	X	J. Randall	X
J.Drolet	X	True	X		
Others Present:					
G. Hilyer-Progress, V. Malare, C. Pitts					

Approval Minutes: - March 24, 2014 Motion Drolet, Second McCoskey **All Ayes. Motion carried.**

Items Requiring Council Action: None

Other Business:

Item A: Warrant Report: Director of Finance discussed the handling of invoices from Gifts from Individuals on the warrant. Currently, any invoice that is submitted from Gifts for Individuals is segregated on the cover page of the warrant and voted upon individually. Alderman John Drolet made reference at the Council Meeting that he did not feel it was necessary to do so. Staff reviewed with Legal Counsel, and it was agreed that invoices did not need to be segregated and voted upon individually. Therefore on any future warrant when an invoice from Gifts for Individuals is included, Alderman Drolet will recuse himself from voting on the entire warrant.

Item B: Update on Ameren Franchise: Director of Finance informed committee that the Franchise Agreement is still being reviewed by legal counsel and that the 2nd Reading will more than likely be on hold at the upcoming May 5th Council Meeting.

Item C: Update on NWS upgrade for Utility Billing: Director of Finance explained that the Utility Billing update was still on hold pending the completion of the software update allowing for the proration of minimum consumption. Staff was originally informed that the software update would be released in the 2nd quarter, but has been pushed back and at this time do not know a release date. Director of Finance told committee that the City is still holding the last payment on the entire project upgrade and will continue to do so until completed. Several Aldermen suggested requesting additional discounts due to the inconvenience the City has had to deal with. Questions were also asked as to what value this software update is worth and should the City forego this software update and just complete the installation. Director of Finance said that she knew that Utility Billing Manager, Lisa Cole and Director of Engineering, Dennis Sullivan had discussed and felt it was worth the wait, but she did not know the actual dollar amount.

Other: Since time was remaining, Chairman Bennett opened the floor to questions and Director of Finance addressed them. Alderman Drolet asked about the submitted Tax Levy and it was suggested that his question be held and put on the agenda of the May Finance and Administration Committee Meeting.

Motion to Adjourn by Albrecht, Second, McCoskey All Ayes. Motion Carried.

Next Meeting: May 26, 2014 at 5:30pm

ADJOURNMENT: 5:55p.m. PREPARED BY: Sandy Evans