RETURN TO AGENDA

Temporary Meeting Location:

Lower Level of the Library

City of Fairview Heights

CITY COUNCIL MEETING AGENDA
Lower Level of Library
10025 BUNKUM ROAD
FAIRVIEW HEIGHTS, IL 62208
November 04, 2026
7:00 P.M.

The City Council meeting will be held in the Council Chambers. Participation (only) join at https://meet.goto.com/COFH or dial in at 1 (786) 535-3211 - Access Code: 808-004-661 - Please mute your phone during the meeting. To install the application: https://meet.goto.com/install

A. Pledge of Allegiance

B. Invocation

C. Call to Order

D. Roll Call

E. Public Participation

F. Consent Agenda:
City Council Minutes – October 20, 2026

G. Committee Reports

H. Communications from Mayor

I. Communication from Elected Officials

J. UNFINISHED BUSINESS

Proposed Ordinance No. 48-'26 an Ordinance authorizing a redevelopment agreement between the City of Fairview Heights, Illinois and EH&H, LLC for a redevelopment project at 6900 N Illinois Street in the City of Fairview Heights. (Administration Committee)

Proposed Ordinance No. 49-'26 an Ordinance amending Ordinance No. 2022-2026, passed on April 7, 2026 and approved on April 8, 2026; an Ordinance establishing a Budget for the City of Fairview Heights for the Fiscal Year 2026-2027. (Administration Committee)

K. NEW BUSINESS

Proposed Ordinance No. 51-'26 an Ordinance repealing Ordinance Number 1976-2024, in its entirety and; prohibiting the use of groundwater as a potable water supply by the installation or use of potable water supply wells or by any other method. (Community Committee)

Proposed Resolution No. 69-'26 a Resolution authorizing the Mayor, on behalf of the City to enter into an agreement for ON-CALL Economic Development Services with PGAV Planners LLC. (Community Committee)

Proposed Resolution No. 70-'26 a Resolution Denying a Development Plan for 10218 Lincoln Trail within the "B-4" Retail Business District for the operation of a liquor store. (Community Committee)

Proposed Resolution No. 71-'26 a Resolution denying a Development Plan for 10218 Lincoln Trail withing the "B-4" Retail Business District for the operation of a tavern. (Community Committee)

RETURN TO AGENDA

K. NEW BUSINESS - CONTINUED

Proposed Resolution No. 72-'26 a Resolution repealing and replacing Resolution No. 4744-2026 regarding the City's authorization of the Mayor to enter into an agreement for the purchase and installation of a new boiler for the pool at the REC. (Administration Committee)

Proposed Resolution No. 73-'26 a Resolution approving a Special Use Permit at 5515 Old Collinsville Road within the "B-3" Community Business District to allow a fence and deck retailer and installer. (Community Committee)

Proposed Resolution No. 74-'26 a Resolution approving the final Subdivision Plat for a Tract of Land, located within lots 11,12,13, and 14 of the J. Nick Perrin's Subdivision of parts of Lots 1 and 2 of Section 34, Township 2 North, Range 8 West of the 3rd Principal meridian, in the City of Fairview Heights, St. Clair County, Illinois. (Community Committee)

Proposed Resolution No. 75-'26 a Resolution approving a Special Use Permit at 311 Salem Place within the "B-4" Retail Business District to allow an automotive service station with convenience store. (Community Committee)

Proposed Resolution No. 76-'26 a Resolution considering the establishment of a STAR Bond District within the City of Fairview Heights, St. Clair County, Illinois. (Community Committee)

L. MOTION

None

M. ADJOURNMENT

RETURN TO AGENDA

CITY OF FAIRVIEW HEIGHTS
CITY COUNCIL MINUTES
October 20, 2026

The regular meeting of the Fairview Heights City Council was called to order at 7:00 p.m. by Mayor Mark T. Kupsky in the City Council Chambers, 10025 Bunkum Road, Fairview Heights, IL and also conducted virtually for guest attendees and City Council members per Resolution 4391-2021 with the Pledge of Allegiance and Invocation by City Clerk Karen Kaufhold.

ROLL CALL

Roll call of Aldermen present: Derrick King, Frank Menn, Josh Frawley, Anthony LeFlore, Barbara Brumfield, Pat Peck, Jeff Harris and Bill Poletti. Alderman James Winkeler was absent – unexcused. Alderman Brenda Wagner was excused to attend by phone. City Clerk Karen Kaufhold and Attorney Andrew Hoerner were present.

PUBLIC PARTICIPATION

None

CONSENT AGENDA

Alderman Poletti moved to approve the October 6th, 2026 City Council Meeting Minutes and Finance Director's Report and the bills and invoices presented for the payment amount of $3,519,849.10. Seconded by Alderman Frawley.
Alderman Peck made a motion to amend the September 15th, 2026 City Council Meeting Minutes to add Alderman Jeff Harris to the **ROLL CALL** as present, to have all the dates corrected from September 16th to September 15th under the **CONSENT AGENDA**, and to add under **COMMUNICATIONS FROM THE MAYOR** that the road resurfacing was on highway 159. Seconded by Alderman Harris.
Roll call on the amendment for the September 15th, 2026 City Council Meeting Minutes to add Alderman Jeff Harris to the **ROLL CALL** as present, to have all the dates corrected from September 16th to September 15th under the **CONSENT AGENDA**, and to add under **COMMUNICATIONS FROM THE MAYOR** that the road resurfacing was on highway 159 showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.
Roll call on the September 15th, 2026 City Council Meeting Minutes and Finance Director's Report and the bills and invoices presented for the payment amount of $3,519,849.10 showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.

COMMITTEE REPORTS

The Mayor announced that the next Community Committee Meeting will be on Wednesday, October 21, 2026 at 7:00 P.M.

COMMUNICATIONS FROM THE MAYOR

Mayor Mark wanted to wish a warm welcome to the new owners of Uptown Cheapskates who had a Ribbon Cutting on October 15, 2026. Mayor thanked everyone who was able to come out to the Track or Treat Event at The REC on October 16, 2026. Mayor Kupsky announced the Winter Fest will be held on November 7th, 2026. If you have questions or would like to volunteer, please reach out to Ryan Jenkins, Economic Development Assistant. On November 18th, 2026 there will be a Christmas Parade at the St. Clair Mall, and on November 19th, 2026 Santa will arrive at the Mall. Mayor notified everyone

COMMUNICATIONS FROM THE MAYOR – CONTINUED

that early voting has started at The REC for the Mid-Term State Elections. Mayor Kupsky made a public service announcement: As we approach the upcoming Municipal Elections, Mayor would like to remind all of our running City Officials, as Council Members, we all have signed a civility pledge, committing to fairness and equality for everyone. Mayor Mark wanted to remind all Candidates running for Office, while the First Amendment protects freedom of speech, Community Events should remain free from political activity. Residents gather to enjoy the festivities, so let's work together to keep these events joyful and neutral for everyone. Mayor communicated that the remains of Army Private First-Class John Robert Stovall, a soldier who went missing over 70 years ago, has been found. He was found by the Defense POW/MIA Accounting Agency (DPAA) and brought home to his family. Volunteers are needed to help place 600 flags along the funeral procession route. Arrangements were handled by Kassly Mortuary Funeral Home in Fairview Heights and he will be laid to rest at Mt. Hope Cemetery in Belleville. In closing, Mayor stated with the next City Council Meeting falling on an Election Day, we will move the meeting to Wednesday, November 4th, 2026. Also, the November 11th, 2026 Community Committee Meeting will be rescheduled, date and time will be announced as soon as possible.

COMMUNICATIONS FROM ELECTED OFFICIALS

Alderman Pat Peck announced the next Trekking for Trash will be on Saturday, November 14, 2026. The time will move to 9:00 A.M. for the winter months. Trekking for Trash will also add another day, November 7th, 2026, to help with the clean-up for the Winter Fest.

UNFINISHED BUSINESS

None

NEW BUSINESS

Proposed Ordinance No. 48-'26 an Ordinance authorizing a redevelopment agreement between the City of Fairview heights, Illinois and EH&H, LLC for a redevelopment project at 6900 N Illinois Street in the City of Fairview Heights. Motion made by Alderman Peck. Seconded by Alderman Poletti. Proposed Ordinance No. 48-'26 was read for the first time.

Proposed Ordinance No. 49-'26 an Ordinance amending Ordinance No. 2022-2026, passed on April 7, 2026 and approved on April 8, 2026; an Ordinance establishing a Budget for the City of Fairview Heights for the Fiscal year 2026-2027. Motion made by Alderman Brumfield. Seconded by Alderman Harris. Proposed Ordinance No. 49-'26 was read for the first time.

Proposed Ordinance No. 50-'26 an Ordinance amending Ordinance No. 190, "The Revised Code," Chapter 24 Motor Vehicle Code, Schedule B, Stop and through intersections by adding a stop sign on Conner Circle at Dunhill Drive. Motion made by Alderman Poletti. Seconded by Alderman LeFlore. Proposed Ordinance No. 50-'26 was read for the first time.
Alderman Poletti made a motion to advance Proposed Ordinance No. 50-'26 to the second reading. Seconded by Alderman Peck.
Roll call to advance Proposed Ordinance No. 50-'26 to the second reading showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.
Roll call on Proposed Ordinance No. 50-'26 showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.
Proposed Ordinance No. 50- '26 passed on 9 yeas.
Proposed Ordinance No. 50-'26 now becomes **ORDINANCE NO. 2037-2026**

DRAFT

RETURN TO AGENDA

NEW BUSINESS - CONTINUED

Proposed Resolution No. 64-'26 a Resolution authorizing the Mayor, on behalf of the City of Fairview Heights, to enter into an agreement for the purchase and installation of a new boiler for the pool at the REC. Motion made Alderman Poletti. Seconded by Alderman Peck.
Alderman Poletti made a motion on Proposed Resolution 64-'26 to include the amount of $84,600 for the scope of the work and budget adjustments with Hoffman for the pool at the REC. Seconded by Alderman Peck.
Roll call on the motion on Proposed Resolution 64-'26 to include the amount of $84,600 for the scope of the work and budget adjustments with Hoffman for the pool at the REC showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.
Roll call on Proposed Resolution No. 64-'26 showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.
Proposed Resolution No. 64-'26 passed on 9 yeas.
Proposed Resolution No. 64-'26 now becomes **RESOLUTION NO. 4744-2026**

Proposed Resolution No. 65-'26 a Resolution authorizing the Mayor to the Mayor to sell Twenty-One (21) United Shield PST SC650 Helmets to Silvis Police Department for one Dollar ($1.00). Motion made Alderman Poletti. Seconded by Alderman Frawley.
Roll call on Proposed Resolution No. 65-'26 showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.
Proposed Resolution No. 65-'26 passed on 9 yeas.
Proposed Resolution No. 65-'26 now becomes **RESOLUTION NO. 4745-2026**

Proposed Resolution No. 66-'26 a Resolution waiving competitive bidding and authorizing a Sole Source Agreement with Motorola Solution Inc., for a Drone As First Responder (DFR) System for the City of Fairview Heights Police Department in an amount not to exceed $399,995.00. Motion made Alderman Peck. Seconded by Alderman Poletti.
Clerical error in the amount was made on the Agenda; it was written as $3,999,995.00, the correct amount should be $399,995.00, which was written correctly on Proposed Resolution 66-'26.
Roll call on Proposed Resolution No. 66-'26 showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.
Proposed Resolution No. 66-'26 passed on 9 yeas.
Proposed Resolution No. 66-'26 now becomes **RESOLUTION NO. 4746-2026**

Proposed Resolution No. 67-'26 a Resolution amending Resolution No. 4733-2026; A Resolution adopting a complete and current City of Fairview Heights Personnel Code. Motion made Alderman Menn. Seconded by Alderman Brumfield.
Roll call on Proposed Resolution No. 67-'26 showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.
Proposed Resolution No. 67-'26 passed on 9 yeas.
Proposed Resolution No. 67-'26 now becomes **RESOLUTION NO. 4747-2026**

DRAFT

RETURN TO AGENDA

NEW BUSINESS - CONTINUED

Proposed Resolution No. 68-'26 a Resolution authorizing the Mayor to enter into a contract on behalf of the City of Fairview Heights with Hank's Excavating & Landscaping Inc. for roadway reconstruction for Cedar Drive, Oak Drive, Elm Drive and Lea Drive in the amount of $2,067,745.19. Motion made Alderman Menn. Seconded by Alderman LeFlore.
Roll call on Proposed Resolution No. 68-'26 showed Aldermen King, Menn, Frawley, LeFlore, Wagner, Brumfield, Peck, Harris, and Poletti voting "Yea". Alderman James Winkeler was absent from the vote. Motion passes with 9 yeas.
Proposed Resolution No. 68-'26 passed on 9 yeas.
Proposed Resolution No. 68-'26 now becomes **RESOLUTION NO. 4748-2026**

Motion made by Alderman Poletti to appoint Lieutenant James Mason to the Emergency Services and Disaster Agency (ESDA) Director Effective October 20, 2026 through April 30, 2027. Seconded by Alderman LeFlore.

Motion made by Alderman Poletti to adjourn. Seconded by Alderman Peck.
Motion carried.

Meeting adjourned at 7:24 P.M.

Respectfully submitted,

Karen Kaufhold
CITY CLERK

DRAFT

RETURN TO AGENDA

PROPOSED ORDINANCE NO. 48-'26

AN ORDINANCE AUTHORIZING A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS AND EH&H, LLC FOR A REDEVELOPMENT PROJECT AT 6900 N ILLINOIS STREET IN THE CITY OF FAIRVIEW HEIGHTS

WHEREAS, the City of Fairview Heights, as a home rule unit of government under the Constitution of the State of Illinois, possesses the authority under its home rule powers to enter into this Agreement with EH&H, LLC in furtherance of its redevelopment plan and project to, *inter alia*, promote the health, safety, and welfare of the City's inhabitants by promoting enhancements to the local tax base and to create employment; and

WHEREAS, EH&H, LLC desires to undertake site improvements at 6900 N Illinois Street, Fairview Heights, IL, 62208 and has entered into an agreement to acquire the real estate underlying the Project Area; and

WHEREAS, the Administration Committee of the City Council met on October 14, 2026 to review the application for the Project and recommended approval of the application to be incorporated into a Redevelopment Agreement; and

WHEREAS, the City Council of the City has determined that the Project will be consistent with the goals of the City's Comprehensive Plan and is authorized under the City's Home Rule powers.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS:

SECTION 1. INCORPORATION OF THE RECITALS

The City of Fairview Heights hereby finds that all of the recitals contained in the preambles to this Ordinance are true, correct and complete and are hereby incorporated by reference thereto and a made a part thereof.

SECTION 2. REDEVELOPMENT AGREEMENT

The City Council of the City of Fairview Heights hereby authorizes the mayor to execute the attached Redevelopment Agreement with EH&H, LLC.

SECTION 3. PASSAGE This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

RETURN TO AGENDA

READ FIRST TIME: 10/20/2026

READ SECOND TIME:

PASSED:

APPROVED:

_____
MARK T. KUPSKY – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

_____
KAREN J. KAUFHOLD – CITY CLERK

RETURN TO AGENDA

SALES TAX REBATE AGREEMENT

This Sales Tax Rebate Agreement ("Agreement") is made and entered into this _____ day of _____, 2026 ("Effective Date"), by and between the City of Fairview Heights, an Illinois municipal corporation ("City"), and EH&H LLC, an Illinois limited liability company ("Company").

RECITALS

WHEREAS, the Company intends to conduct and operate a retail food restaurant at 6900 North Illinois Street, Fairview Heights, IL 62208 ("Property"); and

WHEREAS, absent this Agreement, the Company would not be able to operate its retail food restaurant at the Property due to the construction build-out and other costs; and

WHEREAS, the Property which the Company proposes to conduct and operate a retail food restaurant has been vacant for several years; and

WHEREAS, the Company is expected to create jobs within the City; and

WHEREAS, the Company will strengthen the commercial sector of the City.

NOW, THEREFORE, in consideration of the Recitals, the covenants, terms, and conditions hereinafter set forth and other valuable consideration, the receipt and sufficiency of which are acknowledged, it is mutually agreed by the parties hereto as follows:

SECTION I: INCORPORATION OF RECITALS

The foregoing Recitals are hereby incorporated herein as terms and conditions of this Agreement.

SECTION II: DEFINITIONS

A. For purposes of this Agreement, the terms "Sales Tax" or "Sales Tax Revenue" shall mean any and all Retailer Occupation Taxes, Retail Service Occupation Taxes, Retailers Use Tax, Retailers Service Use Tax, or any other "sales tax" or successor tax that may be enacted by the State of Illinois which the City is able to verify by reference to the documents described in Section 4, hereinafter being assessed, accruing, or arising as a result of the Company at the Property and received by the City from the State of Illinois or other such government agency or body created as aforesaid.

B. For the purposes of this Agreement, "Revenue Year" shall mean each twelve month period commencing January 1 and ending December 31 of each calendar year.

DRAFT

C. For purposes of this Agreement, "Certificate of Occupancy" shall mean a certificate issued by the City authorizing the occupancy of the Property, not on a temporary basis, for the conduct of a business of the Company.

SECTION III: ECONOMIC INCENTIVES

A. It is understood that the Company will generate a Sales Tax Revenue. The Company represents, warrants, and covenants that the Company will comply in all respects with the Retailers Occupation Tax Act, as amended (35 ILCS 115/1 *et seq*.) and the Service Occupation Tax Act, as amended (35 ILCS 120/1 *et seq*.).

B. The Term of this Agreement shall commence as of the Effective Date and shall expire upon the earlier of (i) January 1, 2039, or (ii) the Company receiving Three Hundred Fifty Thousand Dollars ($350,000.00) (the "Expiration Date").

C. Sales Tax Rebate

(1) From the Effective Date to December 31, 2026, the Sales Tax Revenue, if any, shall be shared by the City and the Company equally. Thereafter, during each Revenue Year, the parties agree to the sales tax rebate structure outlined in Exhibit “A” attached hereto, with 2027 being Year 1.

(2) The City shall, during each Revenue Year over the term of this Agreement and subject to Sections 3C(3) and 3C(4), rebate to the Company that portion of the Sales Tax Revenue due to the Company, as set forth in Section 3C(l), if any, ("Rebate") in semi-annual disbursement amounts equivalent to the Company's portion of accrued Sales Tax Revenue, if any, for the immediately preceding six-month period during the term of this Agreement ("Rebate Disbursement Period"); provided, however, the first Rebate Disbursement Period shall commence on the issuance of a Certificate of Occupancy, and the first Rebate in the first Revenue Year shall be due no earlier than the first June 30 date or December 31 date, as the case may be, which is at least six (6) months from the issuance of the first Certificate of Occupancy. The City's obligation to disburse a Rebate to the Company in accordance with this Section 3C(2) shall be subject to the City's prior receipt from the Illinois Department of Revenue of (i) all Sales Tax Revenue attributable to the specific Rebate Disbursement Period for which a Rebate may be due to the Company in accordance with this Agreement, and (ii) a report itemizing or otherwise identifying, in a discernable manner, all Sales Tax Revenue paid to the City as a result of taxable sale activities at the Property ("Sales Tax Report").

(3) The City shall have no obligation to procure the Sales Tax Report from the Illinois Department of Revenue, but the City shall reasonably cooperate with the Company to the extent required by the Illinois Department of Revenue for the Company to provide all information to the Illinois Department of Revenue that may be required for said

DRAFT

Department to then provide the City with the Sales Tax Report for each Rebate Disbursement Period for each Revenue Year.

(4) The City shall have no obligation to disburse a Rebate for a specific Rebate Disbursement Period if the City does not receive the Sales Tax Report relevant to that specific Rebate Disbursement Period within six (6) months of the date of close of that Rebate disbursement Period for which the Rebate to be distributed to the Company is attributed. In the event that the City does not receive the Sales Tax Report then due within such six (6) month period, the City shall notify the Company of such non-delivery in accordance with Section 15 hereof ("City Notice"). In the event that the City does not receive the Sales Tax Report then due within six (6) months of the date of the City Notice, the City shall be fully entitled to retain the Rebate attributable to the Rebate Disbursement Period for which the Sales Tax Report unreceived by the City relates.

(5) Each Rebate paid to the Company shall be accompanied by a certificate from the City setting forth the determination of Sales Tax Revenue then payable to the Company pursuant to this Agreement.

SECTION IV: SALES TAX REPORTS

A. Concurrent with the filing of any and all reports with the Illinois Department of Revenue or any successor agency, the Company shall furnish or cause to be furnished to the City copies of any and all sales tax returns, sales tax reports, amendments, proof of payment or any other sales tax information filed with the State of Illinois or other applicable governmental entity by the Company at the Property. Such documents shall be sent to the attention of the Finance Director. To the extent permitted by law, the City shall maintain the confidentiality of the information contained in such reports. In addition, prior to any payments to the Company pursuant to this Agreement, the Company shall provide, or cause to be provided to, the State of Illinois with properly executed authorizations granting the City the right to access the sales tax records for the Property. The Company acknowledges and agrees that the provisions of this Agreement shall be a matter of public record, as shall any and all payments made by the City to the Company pursuant to this Agreement. The Company further covenants and agrees that upon the request of the City, the Company shall furnish or cause to be furnished such consents or waivers as may reasonably be required by the Illinois Department of Revenue, including but not limited to, a Consent to Disclosure Statement in form and content satisfactory to the State and the City, in order to release the above-described sales tax information to the City. The Company agrees and acknowledges that any disbursements of the City made pursuant to this Agreement can only be made from and to the extent of the data submitted to the State of Illinois in accordance with this Section.

In the event that any returns or documentation from the Illinois Department of Revenue are delayed, the City may request and the Company shall furnish the City with executed copies of the monthly returns filed with the Illinois Department of Revenue for the operations of the Company at the Property. Whenever the City deems it necessary to the fulfillment of this Agreement, the

DRAFT

City shall have the right to conduct an audit of the books and records of the sales, returns and payments of sales taxes relating to the operation of the Company at the Property, upon the giving to the Company reasonable notice, at reasonable times and at the City's expense.

SECTION V: REIMBURSEMENT MECHANISMS

The City shall remit in full to the Company, or its designee, the Company's share of the Sales Tax Revenue to which the Company is entitled, within sixty (60) days and as determined in Section 3(c). The City shall be liable to the Company for disbursement of monies hereunder only to the extent of the Sales Tax Revenue generated by virtue of the Property and actually received by the City from the Illinois Department of Revenue or other applicable governmental agency or body; provided, however, the City reserves the right to make such earlier and/or additional payments in such amounts and at such times as the City, in its sole discretion, deems appropriate. Any payments due the Company pursuant to this Agreement shall be reduced by an amount equal to all collection fees imposed upon the City by the State of Illinois or the Illinois Department of Revenue or other applicable governmental agency or body, for collection of Sales Tax Revenue generated by the Property.

SECTION VI: CASUALTY/EXTENSION OF TERM

If the retail operations of the Company at the Property cease due to casualty or force majeure, then, in each case, provided the conditions set forth in Section 14 hereof have been satisfied, the term of this Agreement shall be automatically extended for a period equal to the period commencing on the date of said casualty, or the date said force majeure commences (as applicable), through the date of final completion of the reconstruction of said improvements and re-opening of the tax generating business, or the date of cessation of said force majeure (if applicable), and the City's payment obligations hereunder shall, with respect to the City's Tax Revenue Share arising or accruing during said extended term, continue for said period.

SECTION VII: MUTUAL ASSISTANCE

The Company and the City agree to do all things practicable and reasonable to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out its terms; provided, however, that no party will be obligated to incur or assume any liability or cost not otherwise expressly provided for herein.

SECTION VIII: DEFAULT REMEDIES/TERMINATION

Except as otherwise provided in this Agreement, in the event of any default or breach of this Agreement or any terms or conditions by any party hereto, including but not limited to noncompliance with the sales tax rebate structure outlined in Exhibit "A" attached hereto, such party shall, upon written notice from the non-defaulting party, proceed promptly to cure or remedy such default or breach within sixty (60) days after receipt of such notice. If any such default is incapable of being cured within said sixty (60) day period, and the defaulting party commences to

cure the default within said sixty (60) day period and proceeds with due diligence, then such party shall not be deemed in default under this Agreement. In case any action hereunder is not taken or not diligently pursued or the default or breach shall not be cured within the above period(s), the non-defaulting party may terminate this Agreement. In addition, the aggrieved party may institute such proceedings as may be necessary or desirable in its opinion to cure and remedy such default or breach, including, but not limited to, an action to restrain any such default or breach of its obligations, an action to compel specific performance by the party in default or breach of its obligations, an action to recover damages against any party liable pursuant to the provisions hereof, or any other action at law or in equity and shall have the right to recover all costs and expenses. Except as otherwise set forth in this Agreement, the rights and remedies of the parties to this Agreement, whether provided by law or this Agreement, shall be cumulative and the exercise by any party of any one or more of such remedies shall not preclude the exercise by it at the same time or different times of any other remedies for the same default or breach by any other party. Any delay by any party in instituting or prosecuting any actions or proceedings or asserting its rights under this Agreement shall not operate as a waiver of such rights in any way; it being the intent of this provision that such party should not be constrained so as to avoid the risk of being deprived of or limited in the exercise of the remedies provided in this Agreement because of the default involved. No waiver made by any party with respect to any specific default by any other party under this Agreement shall be construed as a waiver of rights with respect to any other default by the defaulting party under this Agreement or with respect to the particular default except to the extent specifically waived in writing.

SECTION IX: CESSATION OF COMPANY BUSINESS AT THE PROPERTY

Within sixty (60) days from the date the Company ceases its business at the Property, except as provided herein at Section 6, the Company shall reimburse the City for all of the Rebate payments made by the City to the Company pursuant to Section 3C(l). Provided, however, the City may agree to waive the Company's reimbursement if another retail food establishment leases or purchases the Property and expressly agrees with the City to be bound by the terms of this Agreement for the remainder of its term. The City, in its sole discretion, may refuse to accept the proposed new retail food establishment, in which event, the Company shall reimburse the City as provided for herein, within the time herein provided.

SECTION X: ENTIRE AGREEMENT

This Agreement sets forth all the promises, inducements, agreements, conditions and understandings between the Company and the City relative to the subject matter hereof, and there are no promises, agreements, conditions or understandings, either oral or written, express or implied, between them, other than those herein set forth.

DRAFT

SECTION XI: SURVIVAL OF TERMS, BINDING UPON SUCCESSORS

The covenants, terms, conditions, representations, warranties, agreements and undertakings set forth in this Agreement (and specifically including, without limitation, those covenants, terms, conditions, representations, warranties, agreements and undertakings which survive the termination of this Agreement) shall be binding upon and inure to the benefit of the parties hereto and their respective successors, assignees, sub-lessees and legal representatives. Provided, however, an assignment by the Company shall require the express written consent of the City which consent shall not be unreasonably withheld.

SECTION XII: GOVERNING LAW

This Agreement is governed by and will be construed in accordance with the laws of the State of Illinois. The parties hereby consent to Illinois jurisdiction and agree that any litigation concerning this Agreement must be brought in the Circuit Court of St. Clair County, Illinois.

SECTION XIII: SUPPLEMENTAL AGREEMENTS

The parties agree to cooperate in order to execute such supplemental agreements, memoranda and similar documents as may reasonably be deemed necessary to implement the terms of this Agreement.

SECTION XIV: FORCE MAJEURE

Performance by any party hereunder shall not be deemed to be in default where delays or defaults are due to war, insurrection, strikes, lockouts, riots, floods, earthquakes, fires, casualties, acts of God, acts of the public enemy, epidemics, quarantine restrictions, freight embargoes or lack of transportation. An extension of time for any such cause shall be for the period of the delay, which period shall commence to run from the time of the commencement of the cause, provided that written notice by the party claiming such extension is sent to the other party not more than twenty (20) days after the commencement of the cause or not more than twenty (20) days after the party claiming such extension could have first reasonably recognized the commencement of the cause, whichever is later. Force majeure shall not include economic hardship or commercial or economic frustration of purposes.

SECTION XV: NOTICES

Any notice required to be given in this Agreement will be in writing and either delivered personally or sent postage prepaid by certified United States mail, return receipt requested, addressed, if to the Company, to _____, and if to the City, to Mayor Mark Kupsky at City Hall, 10025 Bunkum Road, Fairview Heights, Illinois 62208, with a copy to Becker, Hoerner & Ysursa, P.C., 5111 West Main Street, Belleville, IL 62226. Either party may designate a different address for notices by written notice to the other party.

DRAFT

RETURN TO AGENDA

SECTION XVI: SEVERABILITY

If any provision, condition, covenant or other clause, sentence or phrase of this Agreement is held invalid by a court of competent jurisdiction, such provision shall be deemed to be excised and the invalidity thereof shall not affect any other provision, condition, covenant or other clause, sentence or phrase contained herein. Notwithstanding the foregoing, if any such invalid provision goes to the essence of this Agreement so that the purposes of the Agreement cannot be fulfilled, then this Agreement shall terminate as of the date of such judgment.

SECTION XVII: CITY APPROVAL

This Agreement is subject to the approval of the City of Fairview Heights City Council. A certified copy of the ordinance or resolution (or other City action) approving the terms and conditions of this Agreement and authorizing and directing the City to execute this Agreement on behalf of the City, certified by the City Clerk, shall be provided to the Company.

SECTION XVIII: AMENDMENTS

This Agreement may be amended from time to time only by written agreement between the parties hereto.

SECTION XIX: REPRESENTATIONS, WARRANTIES AND COVENANTS

A. The Company represents, warrants, and covenants, as of the date of this Agreement, as follows:

(1) The Company is an Illinois Limited Liability Company duly organized, validly existing, qualified to do business in Illinois;

(2) The Company has the right, power and authority to enter into, execute, deliver and perform this Agreement;

(3) The execution, delivery and performance of this Agreement by the Company has been duly authorized by all necessary corporate action, and does not and will not violate its Operating Agreement, any applicable provision of law, or constitute a breach of, default under or require any third-party consent under any agreement, instrument or documents to which the Company is a party or by which the Company is now or may become bound.

B. The City of Fairview Heights, an Illinois municipal corporation, represents, warrants and covenants, as of the date of this Agreement and throughout the term of this Agreement, as follows:

(1) The City has the right, power and authority to enter into, execute, deliver and perform this Agreement and has taken all necessary action to authorize the execution, delivery and performance of this Agreement.

DRAFT

(2) The individuals executing this Agreement on behalf of the City have the power and authority to execute and deliver the Agreement on behalf of the City.

(3) The execution, delivery and performance of this Agreement (i) is not prohibited by any requirement of law or under any contractual obligation of the City; (ii) will not result in the breach or default under any agreement to which the City is a party or to which the City in whole or in part is bound; and (iii) will not violate any restriction, court order, or agreement to which the City is subject.

SECTION XX: THIRD PARTIES

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

SECTION XXI: INDEMNIFICATION

To the extent permitted by applicable law and without waiving sovereign immunity, each party to this Agreement shall indemnify, defend, and hold harmless the other party and its affiliated corporations, and their directors, officers, elected officials, agents and employees from and against any and all damages, losses, liabilities, costs and expenses (including reasonable attorneys' fees) incurred in connection with claims or demands for damages to the extent arising from or caused by the indemnifying party's acts or omissions or those of its directors, officers, elected officials, agents and employees in connection with the subject matter of this Agreement or any of the Agreement's terms.

SECTION XXII: LIMITED LIABILITY OF CORPORATE AUTHORITIES

The parties hereto acknowledge and agree that the individuals who are members of the group constituting the corporate authorities of the City are entering into this Agreement in their corporate capacities as members of such group and shall have no personal liability in their individual capacities.

[remainder of page intentionally left blank]

DRAFT

RETURN TO AGENDA

The parties agree to the above terms by signing below.

City of Fairview Heights, Illinois

By:_____
Mark T. Kupsky
Mayor

Attest:_____
Karen Kaufhold
Clerk

EH&H LLC

By:_____

DRAFT

RETURN TO AGENDA

PROPOSED ORDINANCE NO. 49-'26

AN ORDINANCE AMENDING ORDINANCE NO. 2022-2026, PASSED ON APRIL 7, 2026 AND APPROVED ON APRIL 8, 2026; AN ORDINANCE ESTABLISHING A BUDGET FOR THE CITY OF FAIRVIEW HEIGHTS FOR THE FISCAL YEAR 2026-2027

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

Section 1. Amendment. Amendment of Ordinance No. 2022-2026, passed April 7 2026, and approved April 8, 2026, by creating expense and new accounts for The Field House, $20,000; and

Section 2. Amendment. Amendment of Ordinance No. 2022-2026, passed April 7, 2026, and approved April 8, 2026, by creating expense and new accounts for the Conference Center, $20,000.

Section 3. Passage. This ordinance shall be in full force and effect from and following its passage and approval as provided by law.

PASSED AND APPROVED this _____ day of _____, 2026.

YEAS:

NAYS:

ABSENT:

FIRST TIME READ: 10/20/2026

SECOND TIME READ:

PASSED:

APPROVED:

RETURN TO AGENDA

_____
Mark Kupsky, Mayor
City of Fairview Heights

ATTEST:

_____
Karen Kaufhold, City Clerk

RETURN TO AGENDA

PROPOSED ORDINANCE NUMBER 51-'26

AN ORDINANCE REPEALING ORDINANCE NUMBER 1976-2024, IN ITS ENTIRETY AND; PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, the City of Fairview Heights has previously adopted Ordinance 1976-2024 prohibiting the use of groundwater as a potable water supply by the installation or use of potable water supply wells or by any other method on certain real property; and

WHEREAS, the Illinois Environmental Protection Agency has determined that the specific language of the aforementioned ordinance does not meet certain requirements to comply with Illinois Pollution Control Board regulations; and

WHEREAS, the City of Fairview Heights desires to adopt groundwater restrictions that comply with Illinois Pollution Control Board regulations; and

WHEREAS, certain properties in the City of Fairview Heights, Illinois, have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Fairview Heights desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS;

Section One. Use of groundwater as a potable water supply prohibited.

Except for such uses or methods in existence before the effective date of this ordinance, the use or attempt to use groundwater, as a potable water supply, by the installation or drilling of wells or by any other method is hereby prohibited in the area shown on Exhibit A, within the City of Fairview Heights. This prohibition expressly includes the City of Fairview Heights within the area shown as Exhibit "A". The Parcel Index Numbers corresponding to the prohibition area are attached as Exhibit B.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of not less than Twenty-Five Dollars ($25.00), nor more than Seven Hundred Fifty Dollars ($750.00), plus costs. Each day that a violation continues after due notice has been served shall be considered a separate offence.

RETURN TO AGENDA

Section Three. Definitions.

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, including the municipal entity known as the City of Fairview Heights, or their legal representatives, agents or assigns.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Section Four. Repeal.

Ordinance 1974-2024 is hereby repealed from the date of passage and approval of this ordinance, further and ordinance or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section Five. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudicated invalid.

Section Six. Effective date.

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

ADOPTED: _____ APPROVED: _____

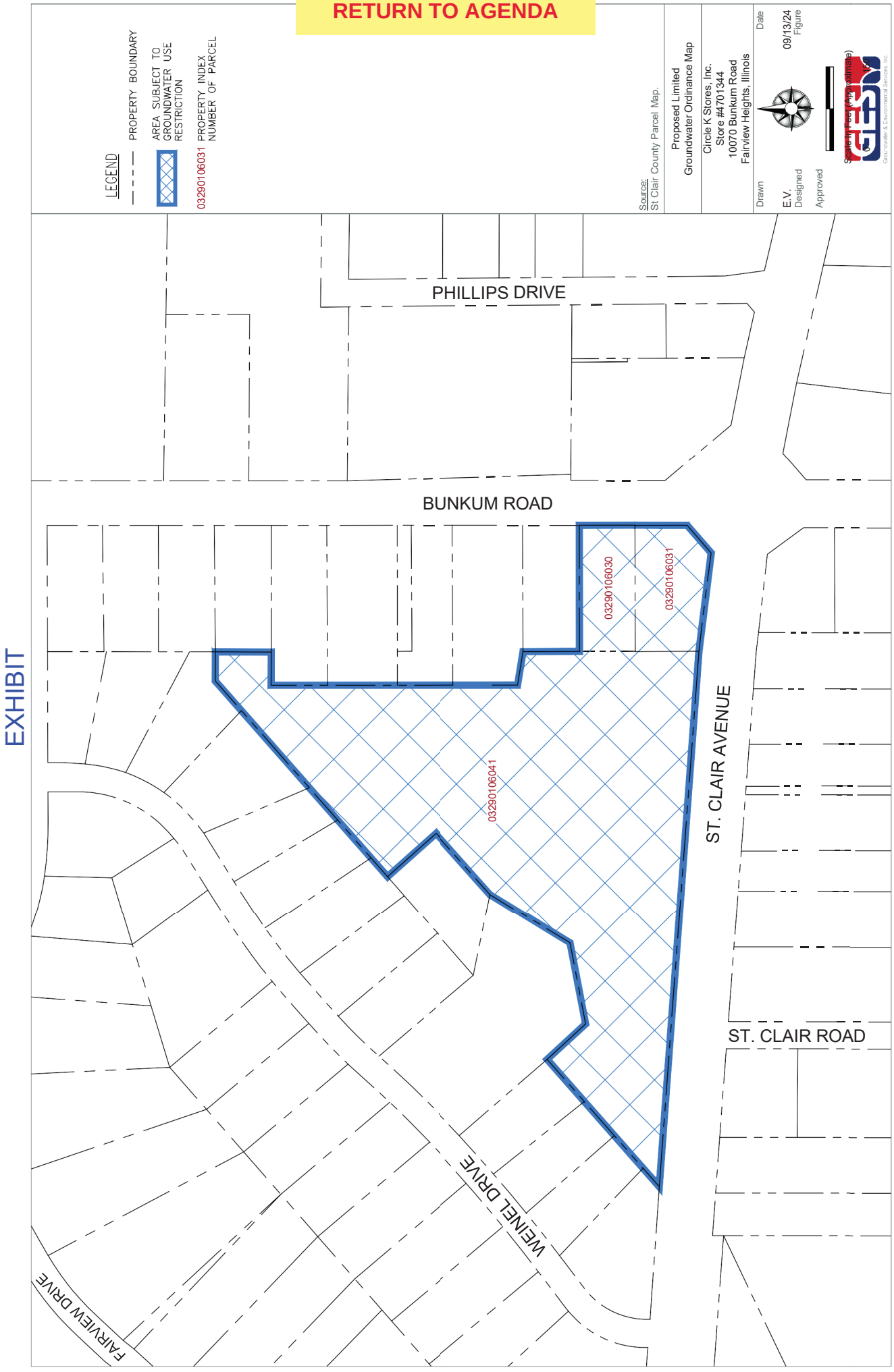
(Date) (Date)

_____ _____

(City Clerk) (Mayor)

Officially published this _____day of _____, 20___.

RETURN TO AGENDA



RETURN TO AGENDA

Exhibit “B”

GROUNDWATER ORDINANCE
CITY OF FAIRVIEW HEIGHTS
PARCEL INDEX NUMBERS

PIN

03-29.0-106-031
03-29.0-106-030
03-29.0-106-041

RETURN TO AGENDA

PROPOSED RESOLUTION NO. 69-‘26

A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY TO ENTER INTO AN AGREEMENT FOR ON-CALL ECONOMIC DEVELOPMENT SERVICES WITH PGAV PLANNERS LLC.

WHEREAS, the City has among its core functions the ongoing planning and economic development of the City of Fairview Heights, and

WHEREAS, the City from time to time requires special expertise and assistance to execute these activities, and

WHEREAS, the City desires to secure technical assistance to serve the City on an as needed basis regarding community planning, economic development, and financial incentives, and

WHEREAS, PGAV Planners LLC has served the City in the past and has been selected now to perform said professional services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS:

That the City of Fairview Heights does hereby authorize the Mayor to enter into a contract for Professional Services with PGAV Planners LLC, 200 North Broadway Suite 1000, St. Louis, MO 63102, to provide professional services for on-call economic development services at a cost plus fixed fee amount not to exceed a remaining balance of SEVENTEEN THOUSAND FIVE HUNDRED SEVENTY NINE DOLLARS AND NO CENTS ($17,579.00) as well an on call amount not to exceed THIRTY THOUSAND DOLLARS AND NO CENTS ($30,00.00) per PGAV Planners LLC’s

RETURN TO AGENDA

agreement for on-call economic development services, attached hereto, made a part hereof, and marked “EXHIBIT A.”

This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED:

APPROVED:

MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

KAREN J. KAUFHOLD - CITY CLERK

RETURN TO AGENDA

AGREEMENT FOR ON-CALL ECONOMIC DEVELOPMENT SERVICES BETWEEN THE CITY OF FAIRVIEW HEIGHTS AND PGAV PLANNERS, LLC.

THIS AGREEMENT, is entered into on the date and by execution shown hereafter, by and between the City of Fairview Heights, Illinois, hereinafter referred to as the "City" and PGAV Planners, LLC, hereinafter referred to as the "PGAV".

Witnesseth:

Whereas, the City has among its core functions the ongoing planning and economic development of the City of Fairview Heights; and

Whereas, the City from time to time requires special expertise and assistance to assist in these activities; and

Whereas, the City wishes to secure technical assistance to serve the City on an as needed basis regarding community planning, economic development, and financial incentives; and

Whereas, PGAV is duly experienced in providing expert advice in the fields of community planning, economic development, and financial incentives.

Now, Therefore, the parties hereto do mutually agree as follows:

I. SCOPE OF SERVICES

PGAV will, upon request of the City, assist in matters related to consultation on financial incentives including TIF, Business District, and other development finance tools. Consultation may also include review of redevelopment proposals/agreements between the City and developers or other planning, zoning, or economic development matters as may be requested by the City.

II. TIMING OF PERFORMANCE

The services of PGAV will be available immediately upon acceptance of this Agreement and will be undertaken and completed in accordance with mutually agreed upon schedules for specific work activities. Work will be initiated on a task when authorized by the City in the form of a written or verbal task order issued by the City Administrator. A representative of PGAV will respond with a letter of engagement signed by an officer of PGAV and detailing the estimated fee associated with the task. This Agreement shall remain in effect through December 31, 2028, or until the total not-to-exceed amount is reached, whichever occurs first.

III. FEE AND METHOD OF COMPENSATION

A. Compensation shall be made to PGAV in accordance with the following hourly rate schedule (shown below), not to exceed the amount of Thirty Thousand Dollars ($30,000), inclusive of reimbursable expenses, without prior written authorization from the City. As of October 16, 2026, the fees accrued under the existing Technical Services Agreement exceed the current contract's not-to-exceed amount by Seventeen Thousand Five Hundred Seventy-Nine Dollars ($17,579). The existing agreement shall be amended to increase the authorized compensation to cover the total fees accrued to date, after which the agreement shall be closed out.

PGAV PLANNERS HOURLY RATES 2027

Project Staff	Hourly Rate
President	$310
Vice President	$275
Senior Director	$255
Associate Director	$255
Senior Project Manager	$235
Project Manager	$200
Project Planner	$175
Planner	$140
Intern	$68
Administrative/Technical Assistance	$100

B. Reimbursable expenses will consist of "out-of-pocket" expenses required to provide the services described. Such expenses will be billed at their direct cost to PGAV.

C. If the City fails to make payment due PGAV for services and reimbursable expenses within 60 days after receipt of our initial statement, PGAV will suspend services under this agreement until PGAV has been paid in full the amounts due for services and expenses.

D. If for any reason the City determines that a task properly initiated under the terms of this Agreement should not proceed, the City will inform PGAV in writing that they wish to terminate the task. The City will pay to PGAV an amount representing the work performed to the date of termination in accordance with the hourly rate schedule herein for the classification of personnel involved with the work plus any reimbursable expenses which have been incurred by PGAV to that date.

RETURN TO AGENDA

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed this _____ day of _____, 2026.

ATTEST:

_____
Karen Kaufhold, City Clerk

CITY OF FAIRVIEW HEIGHTS, IL

_____
Mark Kupsky, Mayor

ATTEST:

Adam Stroud
Associate Director

PGAV PLANNERS, LLC

Andy Struckhoff
President

RETURN TO AGENDA

PROPOSED RESOLUTION NO. 70-'26

A RESOLUTION DENYLING A DEVELOPMENT PLAN FOR 10218 LINCOLN TRAIL WITHIN THE "B-4" RETAIL BUSINESS DISTRICT FOR THE OPERATION OF A LIQUOR STORE.

WHEREAS, the Planning Commission on September 8, 2026 held the necessary Public Hearing and reviewed the Development Plan application and has transmitted its Advisory Report recommending denial of the application to the City Council.

WHEREAS, the Community Committee of City Council on October 21, 2026 reviewed the Development Plan application and the Planning Commission Advisory Report and recommended forwarding same to the full City Council for consideration recommending denial of the application.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. DENIAL. The Development Plan for 10218 Lincoln Trail within the "B-4" Retail Business District for the operation of a liquor store is hereby denied.

SECTION 2. REASONING. The reasoning for denial of the application are contained in the Findings of Fact adopted by Planning Commission Resolution PC 07-26 and attached hereto, made a part hereof and marked "EXHIBIT A".

SECTION 3. SUPPORTING DOCUMENTS. A copy of the Planning Commission's Advisory Report is attached hereto, made a part hereof and marked "EXHIBIT B." A copy of the application documents are attached hereto made a part hereof and marked "EXHIBIT C."

SECTION 4. PASSAGE. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED:

APPROVED:

_____
MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

RETURN TO AGENDA

ATTEST:

_____
KAREN J. KAUFHOLD - CITY CLERK

RETURN TO AGENDA

Planning Commissioner Smith introduced the following resolution and moved for its adoption:

RESOLUTION PC 07-26

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO DENIAL OF A SPECIAL USE PERMIT FOR A MINI MART, BAR, AND GAMING RESTURANT AT
10218 LINCOLN TRL

WHERE AS, Brian Nickas, hereinafter referred to as the "Applicant," applied for a Special Use Permit for a mini mart, bar and gaming restaurant at parcel number 03-29.0-400-117; commonly known as 10218 Lincoln Trl; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in B4 Retail Business District be approved as a special use;

WHEREAS, the Applicant has properly applied for a Special Use Permit.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the Findings of Fact relating to the request are as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on September 08, 2026, and that said public hearing was properly advertised, both of which are incorporated by reference.

2. That the subject property is zoned "B4" Retail Business District.

3. That the Applicant's special use permit for a mini mart, bar and gaming restaurant shall be denied, based on the following criteria.

    - That the proposed use will not be consistent with the Comprehensive Plan.
    - That the proposed use will not be consistent with the Lincoln Trail Great Streets Plan.

RETURN TO AGENDA

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Hopkins upon vote being taken thereon, the following voted in favor thereof: None

and the following voted against the same: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, and Hopkins.

and the following abstained: None

and the following were absent: Ashley Hutchison

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of September 2026.

Sunyatta McDermott

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

RETURN TO AGENDA

DEPARTMENT OF LAND USE AND ECONOMIC DEVELOPMENT

TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC 07-26

REQUEST: Special Use Permit for a **mini mart**, bar and gaming restaurant located at 10218 Lincoln Trl, Fairview Heights. Also identified by St. Clair County PIN(s) 03-29.0-400-117. *VOTE REQUESTED.*

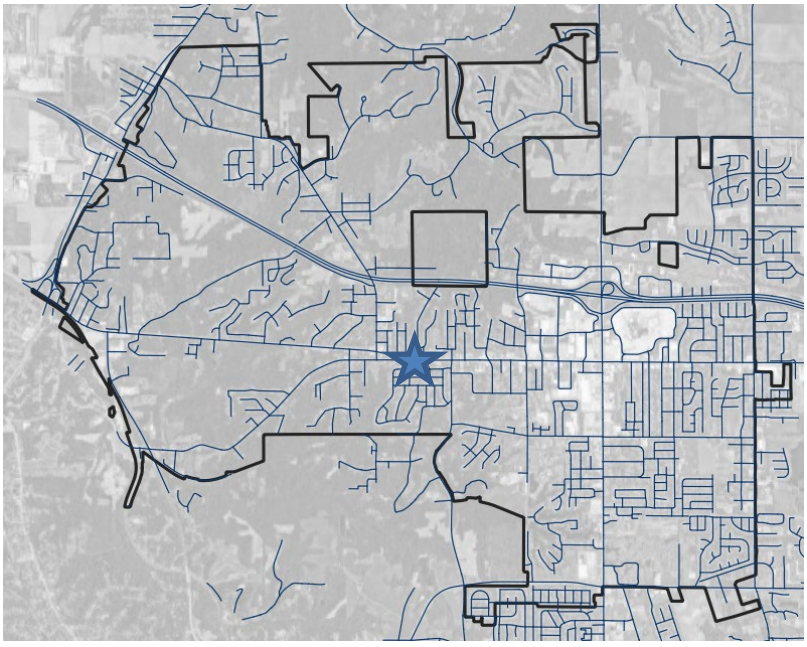
APPLICANT NAME: Brian Nickas

MEETING DATE: September 8, 2026

ZONING: B4 – Retail Business

PLANNING COMMISION ACTION: Consideration of the Special Use Permit, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

GENERAL LOCATION:



RETURN TO AGENDA

STAFF ADVISORY

1. BACKGROUND

The City of Fairview Heights Development Code divides the City into districts and establishes a set of land uses that are either "permitted" or "special". Permitted uses are compatible land uses authorized as a matter of right. Special uses are those that may cause potential conflict depending on the scope of the operation. A special use may be allowed after a review by Plan Commission and City Council, in accordance with Development Code section 14-10-8. Each special use is evaluated on its own merits.

The applicant is seeking approval for the operation of a liquor store.

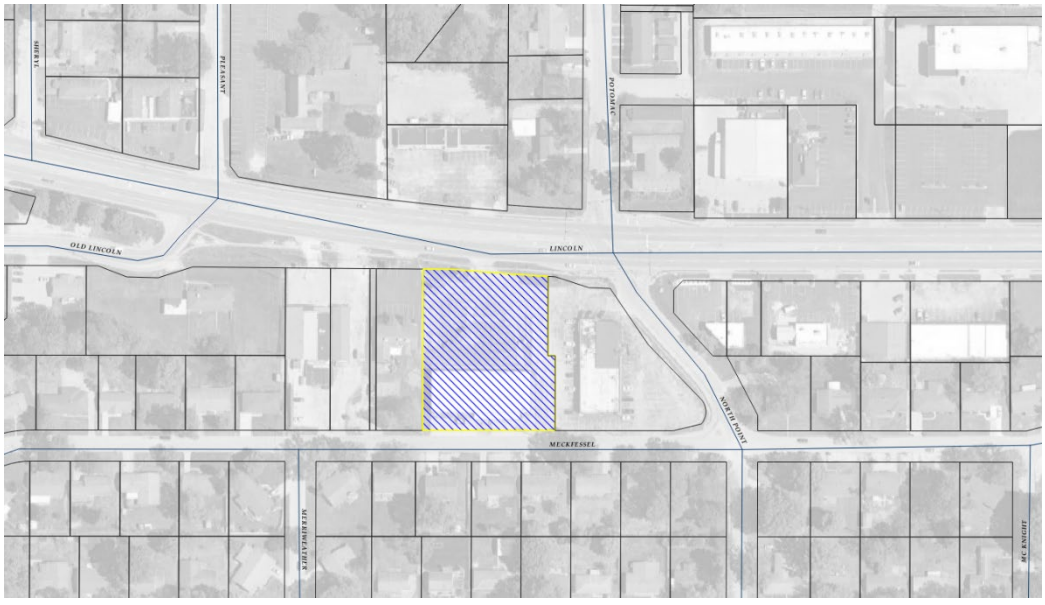
The subject property is located at 10218 Lincoln Trail, and is zoned B-4 – Retail Business. This zoning district is intended for a variety of commercial uses such as retail, office, and restaurant uses. The liquor store use is permitted; however, a Special Use Permit is required.

2. DISCUSSION

Context

The subject site is located in the western portion of the city, south of Interstate 64, and east of Bunkum Road. It is comprised of one parcel.

The zoning designation for these parcels is B-4 Retail Business. This zoning district is intended to provide for a variety of commercial uses such as retail, office, and restaurant uses. Certain uses must be approved by the Planning Commission as established in Development Code Section 14-04-02, Permitted and Special Uses in Commercial Districts.



Zoning: Site and Surrounding Areas

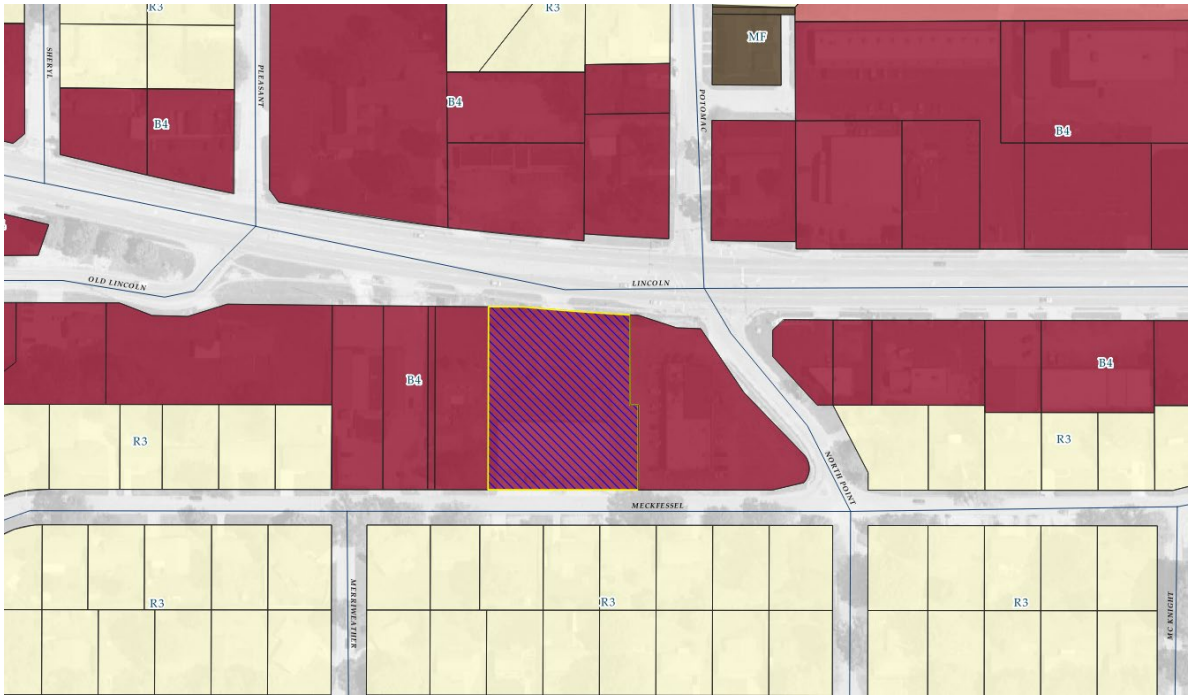
The zoning and land uses of adjoining and surrounding properties are as follows:

North: B4 – Retail Business;

South: R3 –Single Family Residential;

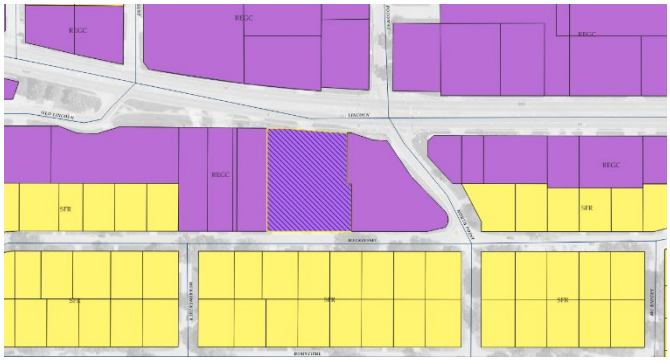
West: B4 – Retail Business;

East: B4 – Retail Business.



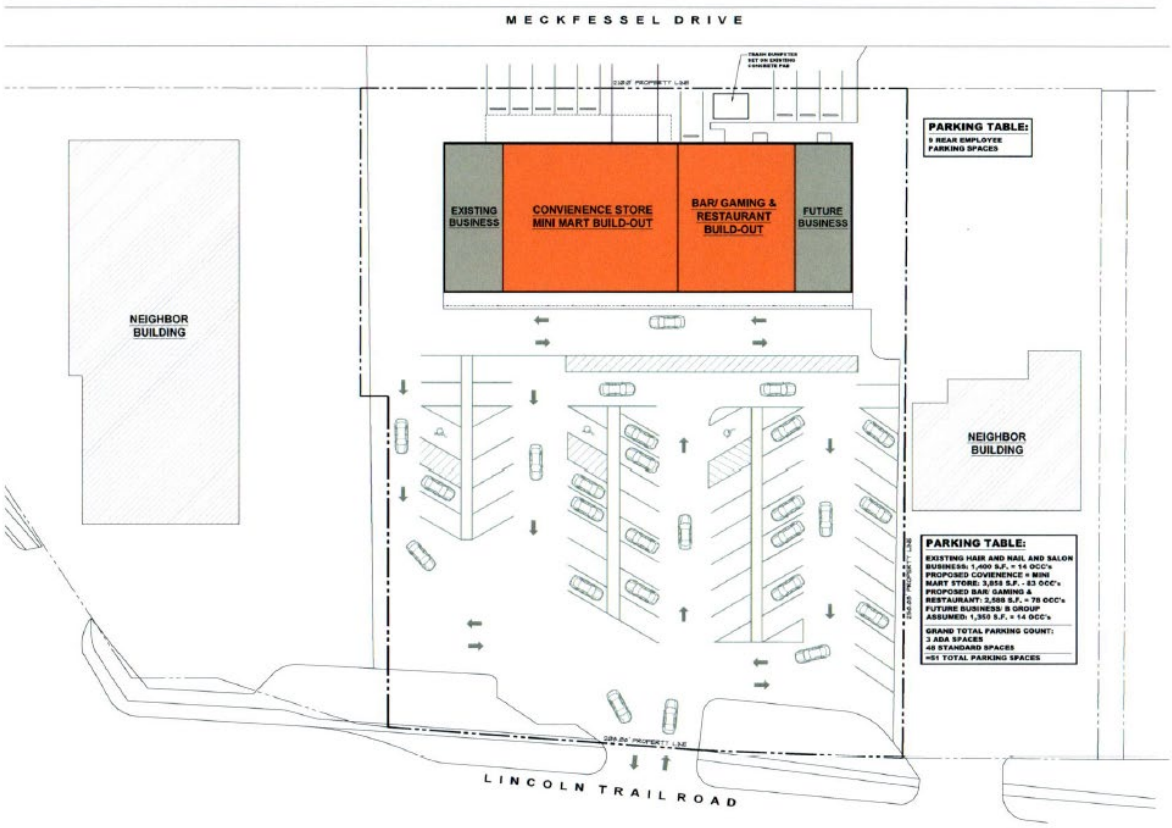
Future Land Use: Site and Surrounding Areas

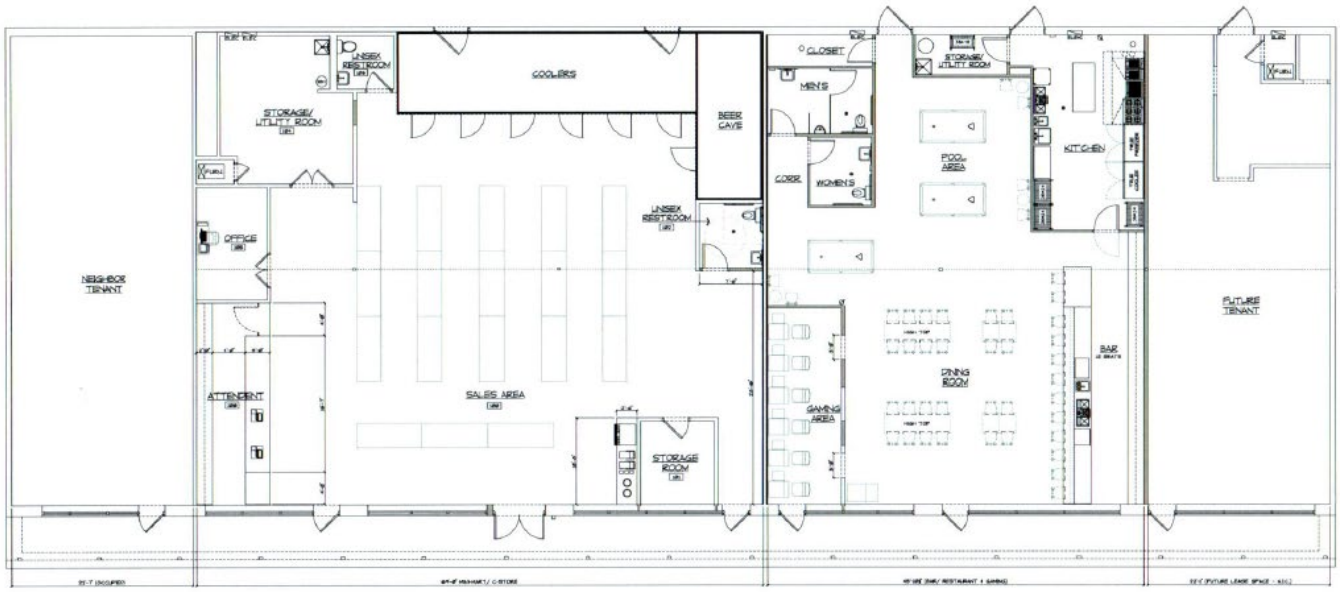
The Fairview Heights Comprehensive Plan Future Land Use Map identifies the subject site as Regional Commerical. This designation includes areas intended to accommodate larger commercial shopping centers and developments that serve a more regional function, drawing on a customer base that extends beyond the City limits. The proposed use does conform with the Fairview Heights Comprehensive Plan Future Land Use Map.



RETURN TO AGENDA

Site Plan





FLOOR PLAN
SCALE: 3/16" = 1'-0"
NORTH

3. **Analysis: Site Development**

The applicant is seeking approval for the construction of a liquor store. In its deliberations, Planning Commission shall review general planning considerations and may impose conditions to the approval of this structure. Following are the criteria outlined in Chapter 14 of the Fairview Heights Code of Ordinances (Development Code) and proposed conditions, where applicable:

(a) Permitted uses, including maximum floor area.
The use of a liquor store is permitted in the B4 Community Business District as a special use.

b) Performance standards. (Performance standards regulate the intensity of land use to prevent adverse impact on abutting and nearby properties.)
The premises shall be maintained in good condition, free from trash and debris. Note that the dumpster location does not indicate a required enclosure.

Noise emanating from the use shall not be of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonably offensive noises due to intermittence, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

No obnoxious, toxic or corrosive matter, smoke, fumes or gases shall be discharged into the air or across the boundaries of any lot in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare or to cause injury or damage to property or business.

(c) Height limitations.
The building height meets the height requirements for B-4.

(d) Minimum yard requirements.
n/a

(e) Off-street parking and loading requirements
The existing parking and loading configuration is not satisfactory to the zoning administrator. The proposed parking on the south of the property is within the right of way.

(f) Sign regulations
The size and number of signs are prescribed in Article VII of the Development Code and will be reviewed during the permitting process. The location will also be determined at that time.

(g) Minimum requirements for site development plans.
Site development plans shall depict the proposed location of buildings, parking areas, traffic circulation, landscaping, utilities, and drainage. These requirements have been met.

(h)Time limitations for commencement of construction.
Within one (1) year of approval, construction shall commence. The applicant may apply for one (1) extension of time limitation from the City in writing explaining extenuating circumstances.

(i) Trust funds, impact fees, surcharges and connection fees.
The applicant will pay all applicable fees and meet all permitting requirements of any utility or other jurisdictional unit.

(j) Rights of way dedication and road improvements.
n/a

4. **Analysis: Site Development**

To: Fairview Heights Planning Commission
From: Ryan Jenkins, Economic Development Coordinator
Subject: PC 07-26 Special Use Permit, 10218 Lincoln Trail, Fairview Heights, IL, 62208
Date: August 28th, 2026

The Land Use and Economic Development Department has reviewed the Special Use Permit application (PC 07-26) for 10218 Lincoln Trail, which proposes the establishment of a mini mart and gaming bar restaurant. While the Department recognizes that the proposed uses would occupy otherwise vacant commercial space and generate economic activity through employment, sales, and local tax revenue, we have concerns regarding whether the proposal is consistent with the City's long-term economic development objectives for the Lincoln Trail corridor.

These concerns are particularly relevant given the City's adoption of the *Lincoln Trail Great Streets Plan* adopted by City Council at the recommendation of the Planning Commission. The Plan establishes a long-term framework for strengthening the corridor's economic vitality and establishing a more resilient and attractive commercial environment. Among its stated goals is to "support the creation of a vibrant mix of uses along the corridor through infill development and targeted development types to enhance quality of life in Fairview Heights".[i]

The Plan identifies specific strategies intended to advance these goals through future development and investment along the corridor. Of particular relevance to this application is Strategy 2.2: Reposition Commercial and Retail Development Types Along the Corridor. The strategy identifies the objective of creating a more adaptable, resilient, and experience-driven corridor and encourages specialty retail, dining, entertainment, and service-oriented uses. It further emphasizes right-sizing development to meet market demand and supporting the long-term viability of the corridor.[ii]

The Department believes the intent of these provisions should be considered in the review of new development and Special Use Permit requests within the corridor. The *Great Streets Plan* establishes a clear policy direction for the evolution of Lincoln Trail's commercial environment. Its implementation is intended not merely to facilitate occupancy of existing commercial space, but to encourage development patterns and business types that strengthen the corridor's long-term market position and contribute to a more vibrant mix of uses.

In the Department's assessment, the proposed combination of uses provides limited advancement of that objective. The proposal would primarily introduce convenience-oriented retail, alcohol, and tobacco sales, and gaming-oriented entertainment. While each of these activities may have a place within the City's broader commercial environment, the proposed combination does not materially contribute to the targeted repositioning of commercial and retail development established by the strategies outlined in the *Great Streets Plan*.

Accordingly, based on these considerations, the Land Use and Economic Development Department recommends that the Planning Commission deny the Special Use Permit as currently proposed.

Respectfully,

Ryan Jenkins

Ryan Jenkins
Economic Development Coordinator

[i] City of Fairview Heights, *Lincoln Trail Great Streets Plan*, 2025, p. 76.
[ii] City of Fairview Heights, p.78.

RETURN TO AGENDA

Exhibits

1. Applicant's Narrative and Excerpted Supporting Documents
2. Resolution and Findings of Fact
3. Public Notice

RETURN TO AGENDA

APPLICATION FOR SPECIAL USE PERMIT

FAIRVIEW HEIGHTS

08/07/26 DATE APPLICATION RECEIVED BY LUD

Department of Land Use and Economic Development
10025 Bunkum Road
Fairview Heights, IL 62208
Phone (618) 489-2060

OFFICE USE ONLY	
DATE APPLICATION DEEMED COMPLETE: 08/07/26	CASE NUMBER ASSIGNED: PC 09-26
RESUBMITTALS RECEIVED/DATE:	APPLICATION FEES PAID (*$150 + $25 per acre above one acre*): $150
ZONING DISTRICT: B4 - Retail Business	DATE PUBLIC NOTICE SIGN POSTED: 08/24/26
DATE SET FOR HEARING: 09/08/26	NEWSPAPER NAME AND PUBLICATION DATE: Herald Publications 08/27
APPLICATION CIRCULATION DATE_____: Comments Received: ☐ Public Works ☐ Fire District ☐ Parks and Recreation ☐ Economic Development ☐ Police Department ☐ Finance Department ☐ Administration Department ☐ Other	AUTHORITY MEETING DATE/RECOMMENDATION: ☐ Planning Commission 09/08/_____ ☐ Community Committee_____/_____ ☐ City Council_____/_____
DATE OF MEETING: 09/08/26	RESOLUTION NUMBER: *(Maintain copy with LUD file)*

Special Use Permits are reviewed by the City's Planning Commission, Community Committee and City Council. City Council has the final decision on the application. Representation is required at these meetings.

Applicants are encouraged to schedule a pre-application conference with the Director of Land Use and Development prior to submittal. The application will be processed and scheduled for Plan Commission consideration after it is deemed complete.

Applicants ***are responsible for the following:***

1. Two hard copies and one electronic version of the completed application and submittal requirements. The application deadline to the Department of Land Use and Development is at least thirty-six (36) days prior to the Plan Commission meeting.
2. Application fees.

RETURN TO AGENDA

PROJECT INFORMATION FOR SPECIAL USE PERMIT

Project Name:	Covenience - Mini Mart & Bar/ Gaming Restaurant Build-Outs
Project Address:	10218 Lincoln Trail Road, Fairview Heights, IL 62208
Parcel ID:	#03290400117
Current Use of Property:	Retail/ Mercantile, Only one store open
Project Size/Acreage:	Existing/ N/A
Number of Lots:	1
Density:	Existing/ N/A

CONTACT INFORMATION FOR SPECIAL USE PERMIT

Property Owner(s):	Pariaarby LLC – Bobby Patel
Mailing Address:	10218 Lincoln Trail Road, Fairview Heights, IL 62208
Phone:	(609) 325-1027
E-Mail:	Parb5513@gmail.com

Applicant/agent:	Brian T. Nickas, AIA
Relationship to owner:	Architect
Mailing Address:	452 Micahs Way, Columbia, IL 62236
Phone:	(618) 531-0107
E-Mail:	brian.nickas@nickasarchitect.com

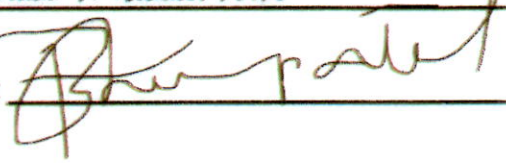
AUTHORIZATION

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and are consistent with the ordinances relating to this application. I also understand that as the applicant, it is my responsibility to obtain all additional approvals, permits or licenses required by any applicable regulatory agency for this project.

I consent that the entry upon the premises described in this application by an authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF THE OWNER OF RECORD OR AUTHORIZED APPLICANT/AGENT.

Signature of Owner: Brian T. Nickas, AIA Date: 8/7/26
Printed Name:

Signature of Applicant:  Date: 8/7/26
Printed Name:

RETURN TO AGENDA

SUBMITTAL REQUIREMENTS FOR SPECIAL USE PERMIT

The minimum standards for land subdivision and development are contained in Section 14-9-8 of the City's Development Code. Please consult this section, as well as the relevant zoning district regulations, when preparing the application. http://www.cofh.org/DocumentCenter/View/298/COMPLETE-PDF-CODE

1. *Site plan- drawn to scale and includes the following information:
    a. Location and dimensions of lot (boundary) and *adjacent* properties and right of way; note zoning designation of surrounding properties
    b. Location and dimensions of existing and proposed buildings and structures
    c. Location and size of proposed off-street parking, loading areas, pedestrian facilities, curbcuts/driveways and vehicular traffic circulation, and relationship to adjacent circulation systems (all curb cuts within 150' of property and road intersections)
    d. Distances between buildings (front, side, and rear lot lines); principal building and accessory buildings; principal building and principal buildings on adjacent lots
    e. Location of public and/or private utilities and facilities proposed to serve the subject area; including water supply, sewage, and drainage facilities
    f. Location of light standards
    g. Size and design of signs
    h. Location and type of landscaping (of a sufficient detail to ensure parking lot landscaping and buffer requirements are met). Indicate existing and to be removed landscaping
    i. Small key map
    j. Any additional information as may be reasonably required by the Land Use and Development Department

    NOTE: ALL INFORMATION SHALL BE PROVIDED ON A SINGLE SHEET, UNLESS OTHERWISE AGREED BY THE DIRECTOR OF LAND USE AND DEVELOPMENT. RE-OCCUPANCIES MAY NOT REQUIRE ALL INFORMATION; PLEASE CONSULT WITH LUD.

2. Narrative- statement describing the proposed project, estimated development schedule, economic viability of the project, extent of grading, anticipated traffic, impact upon community, and other information considered relevant to the project.

3. Photographs- aerial and/or ground-level photographs of the site

4. Building elevations or perspectives- to show compatibility with surrounding area and of sufficient detail to ensure building material requirements are met *(for new construction and significant rehabilitation only)*

5. Floor plan drawn to approximate scale and dimensioned *(for new construction, change of use and significant rehabilitation only)*

6. Legal description of the property

RETURN TO AGENDA

NICKAS
ARCHITECTURE, LLC
432 MICAHS WAY COLUMBIA, ILLINOIS 62236
PH: 618 531 9197 • WEB: www.nickasarchitect.com
EMAIL: brian.nickas@nickasarchitect.com
STATE OF IL DESIGN FIRM No. 184.007832.0001

Re: Convenience – Mini Mart & Bar/ Gaming Restaurant Build-Outs
Owner: Pariaarby LLC – Bobby Patel
Location: 10218 Lincoln Trail Road, Fairview Heights, IL 62208

August 7, 2026

Dear Dallas,

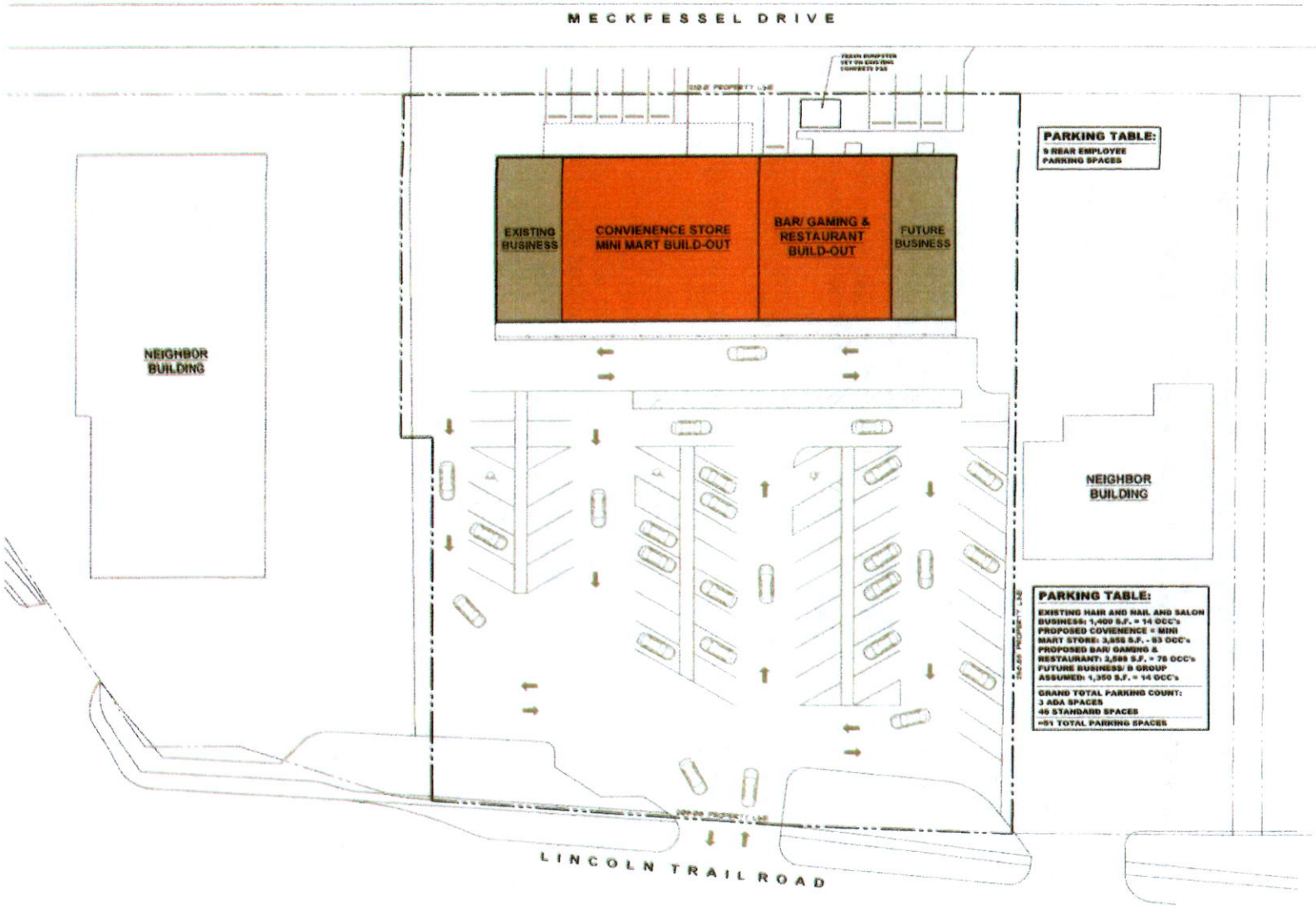
Planning Application Narrative:

We are going in for interior build-out lease spaces for the building Bobby Patel owns with him running and operating both businesses. The existing building was constructed in the 90's and no exterior work (minus signage) is planned at this time. The owner may give a facelift to the exterior down the road, should he be granted the special use permits for these new businesses.
The first of 2 projects is a mini mart- convenience store with retail merchandise snacks, soda's and fast food, as well as beer coolers, and liquor. Tobacco products will also be sold however there will be no neon signage or advertising drawing attention to either the liquor or tobacco from the building's exterior. The hours of operation will be from 6am-12am/ midnight Monday through Sunday.
The 2nd of 2 projects will be a bar/ gaming and restaurant concept with 3 pool tables. The food concept will be a Tikki & Tangy, which is a National Franchise, and have a regular kitchen with hood and cooking equipment. There are currently 3 locations across the river in Missouri, and they specialize in a unique fast casual fusion of flavors that combines the flavors of Indian & Mediterranean cuisines. There will be a need for a liquor license as well. The hours of operation will be from 12pm-12am/ midnight, Monday through Sunday. All spaces will be handicapped accessible with restrooms, seating and door exits/ entrances to meet code.

Regards,

Brian T. Nickas AIA

Brian T. Nickas, AIA



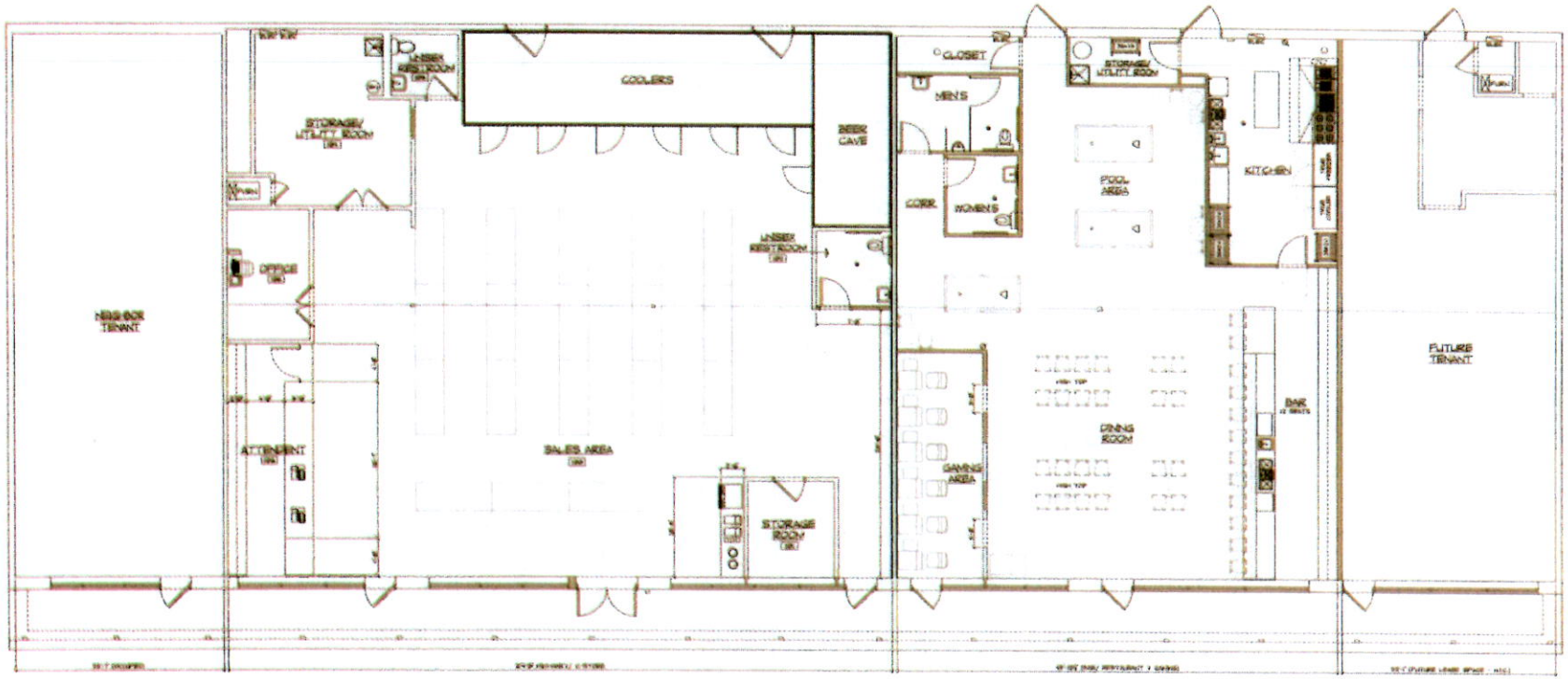
CONVIENENCE - MINI MART &
BAR/ GAMING RESTAURANT BUILD-OUTS

OWNER: BOBBY PATEL
10218 LINCOLN TRAIL ROAD - SUITES 2 THRU 6
FAIRVIEW HEIGHTS, ILLINOIS 62208
OCTOBER 9, 2025

SITE PLAN
SCALE: 1/16" = 1'-0"

NICKAS ARCHITECTURE, LLC

RETURN TO AGENDA



NORTH

FLOOR PLAN

SCALE: 3/16" = 1'-0"

RETURN TO AGENDA

CONVIENENCE - MINI MART &
BAR/ GAMING RESTAURANT BUILD-OUTS

OWNER: BOBBY PATEL
10218 LINCOLN TRAIL ROAD - SUITES 2 THRU 6
FAIRVIEW HEIGHTS, ILLINOIS 62208
OCTOBER 9, 2025

NICKAS ARCHITECTURE, LLC

RETURN TO AGENDA

DEPARTMENT OF LAND USE AND DEVELOPMENT

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, September 8, 2026, at 7:00 p.m. This meeting will be held both in person at the Fairview Heights City Hall, 10025 Bunkum Road, 62208, and virtually. Parties interested in attending the meeting virtually should contact Dallas Alley, Director of Land Use and Development, at (618) 489-2061 or alley@cofh.org for instructions and visit the City's website for an agenda and meeting materials at www.cofh.org.

At this meeting, the Commission will consider a Special Use Permit in the "B4" Retail Business zoning district for a convenience mini mart, bar and gaming restaurant, also identified by St. Clair County PIN(s) 03-29.0-400-117.

Request was made by Brian Nickas – 452 Micahs Way, Columbia, IL 62236.

All persons desiring to be heard on this proposal may attend either in person or virtually.

Dated this 24th day of August 2026.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Dallas Alley, Director of Land Use & Development

PC 07-26

RETURN TO AGENDA

PROPOSED RESOLUTION NO. 71-‘26

A RESOLUTION DENYLING A DEVELOPMENT PLAN FOR 10218 LINCOLN TRAIL WITHIN THE “B-4" RETAIL BUSINESS DISTRICT FOR THE OPERATION OF A TAVERN.

WHEREAS, the Planning Commission on September 8, 2026 held the necessary Public Hearing and reviewed the Development Plan application and has transmitted its Advisory Report recommending denial of the application to the City Council.

WHEREAS, the Community Committee of City Council on October 21, 2026 reviewed the Development Plan application and the Planning Commission Advisory Report and recommended forwarding same to the full City Council for consideration recommending denial of the application.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. DENIAL. The Development Plan for 10218 Lincoln Trail within the “B-4” Retail Business District for the operation of a tavern is hereby denied.

SECTION 2. REASONING. The reasoning for denial of the application are contained in the Findings of Fact adopted by Planning Commission Resolution PC 08-26 and attached hereto, made a part hereof and marked “EXHIBIT A”.

SECTION 3. SUPPORTING DOCUMENTS. A copy of the Planning Commission’s Advisory Report is attached hereto, made a part hereof and marked “EXHIBIT B.” A copy of the application documents are attached hereto made a part hereof and marked “EXHIBIT C.”

SECTION 4. PASSAGE. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED:

APPROVED:

_____
MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

RETURN TO AGENDA

ATTEST:

_____
KAREN J. KAUFHOLD - CITY CLERK

RETURN TO AGENDA

Planning Commissioner Smith introduced the following resolution and moved for its adoption:

RESOLUTION PC 08-26

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO DENIAL OF A SPECIAL USE PERMIT FOR A MINI MART, BAR, AND GAMING RESTURANT AT
10218 LINCOLN TRL

WHERE AS, Brian Nickas, hereinafter referred to as the "Applicant," applied for a Special Use Permit for a mini mart, bar and gaming restaurant at parcel number 03-29.0-400-117; commonly known as 10218 Lincoln Trl; and

WHEREAS, the Fairview Heights Development Code requires that major modifications to a site development plan in B4 Retail Business District be approved as a special use;

WHEREAS, the Applicant has properly applied for a Special Use Permit.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the Findings of Fact relating to the request are as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on September 08, 2026, and that said public hearing was properly advertised, both of which are incorporated by reference.

2. That the subject property is zoned "B4" Retail Business District.

3. That the Applicant's special use permit for a mini mart, bar and gaming restaurant shall be denied, based on the following criteria.

    - That the proposed use will not be consistent with the Comprehensive Plan.
    - That the proposed use will not be consistent with the Lincoln Trail Great Streets Plan.

RETURN TO AGENDA

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Hopkins upon vote being taken thereon, the following voted in favor thereof: None

and the following voted against the same: Herrington, Fowler, Wesemann, Hoppe, McDermott, Smith, Baldwin, and Hopkins.

and the following abstained: None

and the following were absent: Ashley Hutchison

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of September 2026.

Sunyatta McDermott

Planning Commission Chairman

ATTEST:

Dallas Alley

Land Use Director

RETURN TO AGENDA

DEPARTMENT OF LAND USE AND ECONOMIC DEVELOPMENT

TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC 08-26

REQUEST: Special Use Permit for a mini mart, **bar and gaming restaurant** located at 10218 Lincoln Trl, Fairview Heights. Also identified by St. Clair County PIN(s) 03-29.0-400-117. *VOTE REQUESTED.*

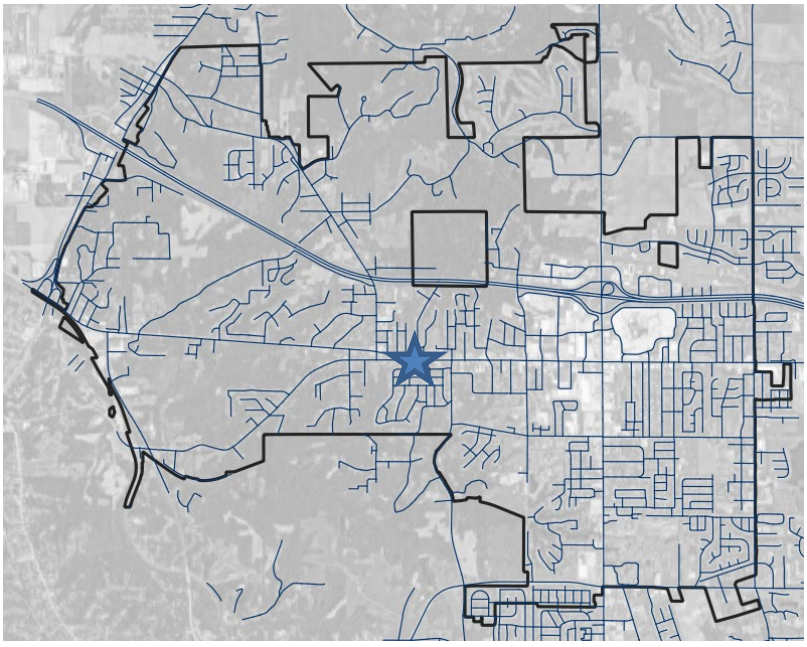
APPLICANT NAME: Brian Nickas

MEETING DATE: September 8, 2026

ZONING: B4 – Retail Business

PLANNING COMMISION ACTION: Consideration of the Special Use Permit, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

GENERAL LOCATION:



RETURN TO AGENDA

STAFF ADVISORY

1. BACKGROUND

The City of Fairview Heights Development Code divides the City into districts and establishes a set of land uses that are either "permitted" or "special". Permitted uses are compatible land uses authorized as a matter of right. Special uses are those that may cause potential conflict depending on the scope of the operation. A special use may be allowed after a review by Plan Commission and City Council, in accordance with Development Code section 14-10-8. Each special use is evaluated on its own merits.

The applicant is seeking approval for the operation of a tavern.

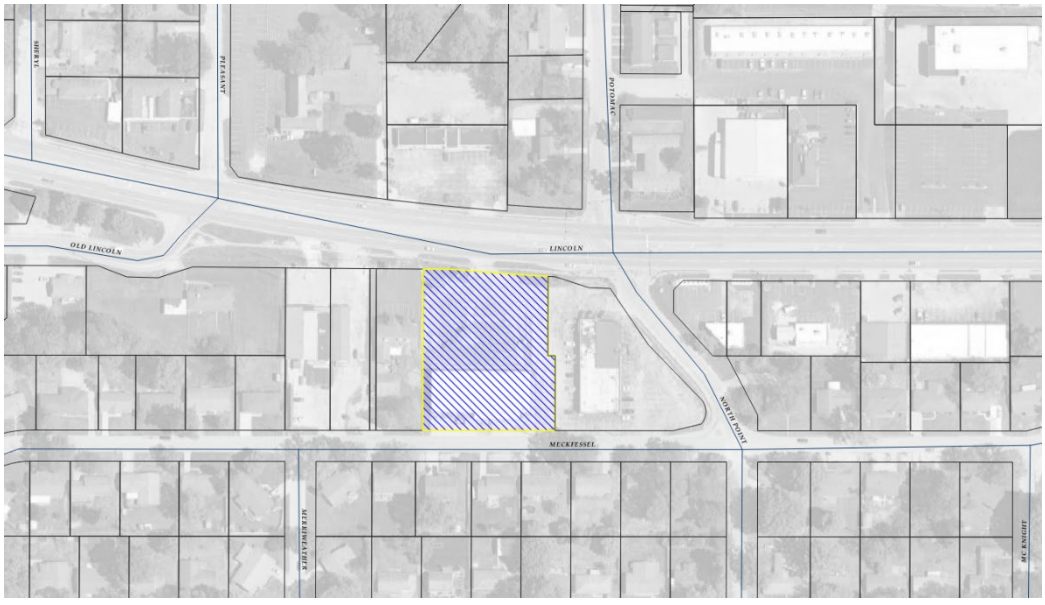
The subject property is located at 10218 Lincoln Trail, and is zoned B-4 – Retail Business. This zoning district is intended for a variety of commercial uses such as retail, office, and restaurant uses. The tavern use is permitted; however, a Special Use Permit is required.

2. DISCUSSION

Context

The subject site is located in the western portion of the city, south of Interstate 64, and east of Bunkum Road. It is comprised of one parcel.

The zoning designation for these parcels is B-4 Retail Business. This zoning district is intended to provide for a variety of commercial uses such as retail, office, and restaurant uses. Certain uses must be approved by the Planning Commission as established in Development Code Section 14-04-02, Permitted and Special Uses in Commercial Districts.



Zoning: Site and Surrounding Areas

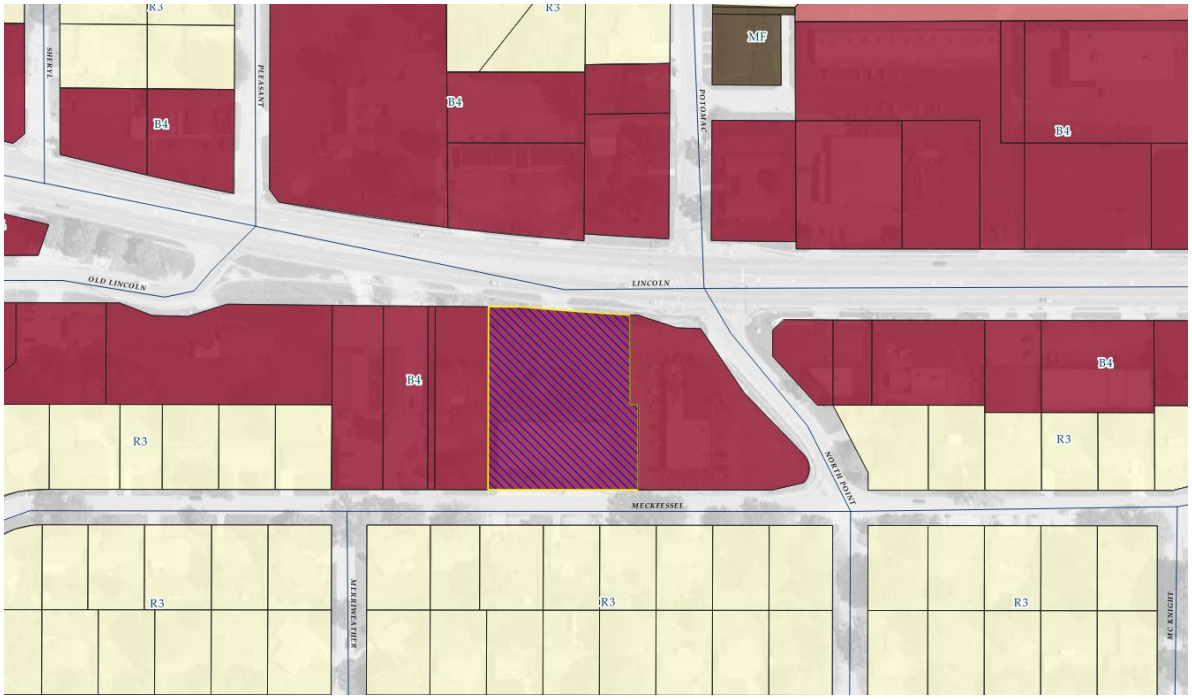
The zoning and land uses of adjoining and surrounding properties are as follows:

North: B4 – Retail Business;

South: R3 –Single Family Residential;

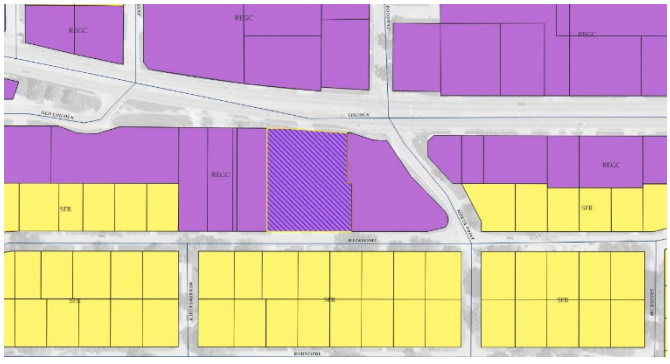
West: B4 – Retail Business;

East: B4 – Retail Business.



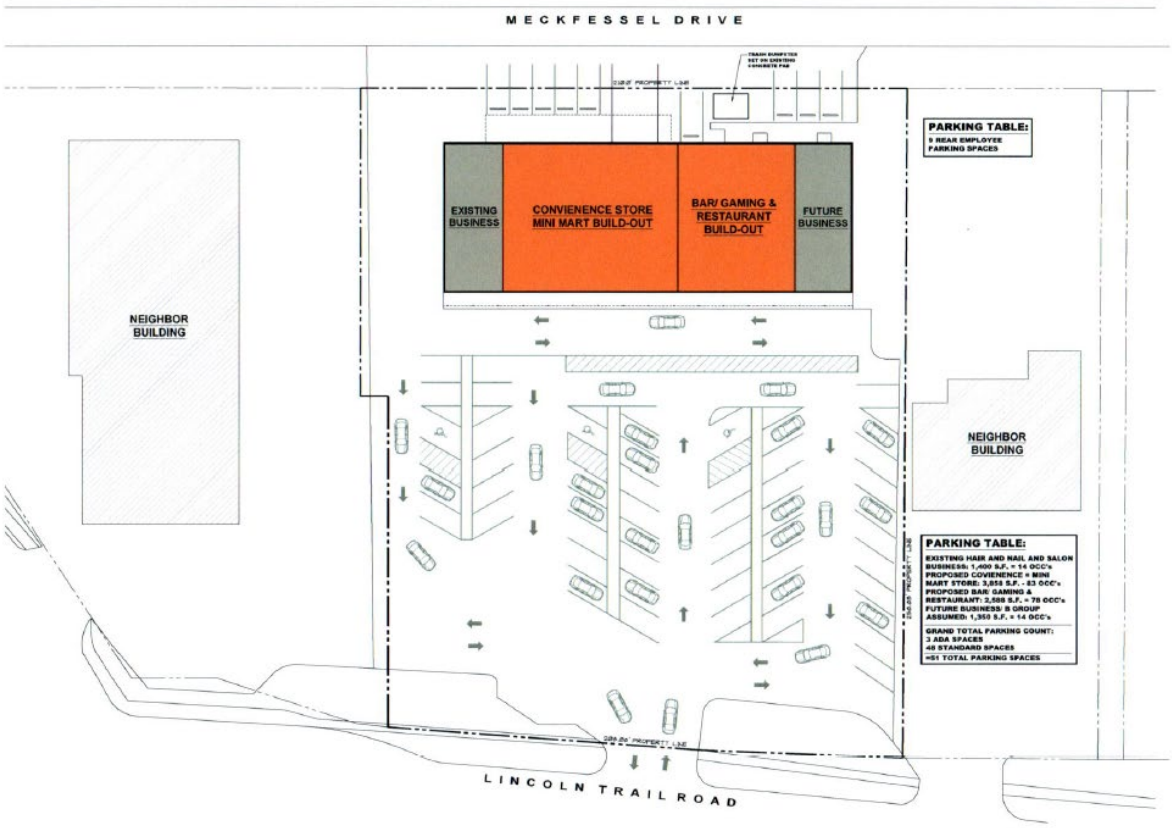
Future Land Use: Site and Surrounding Areas

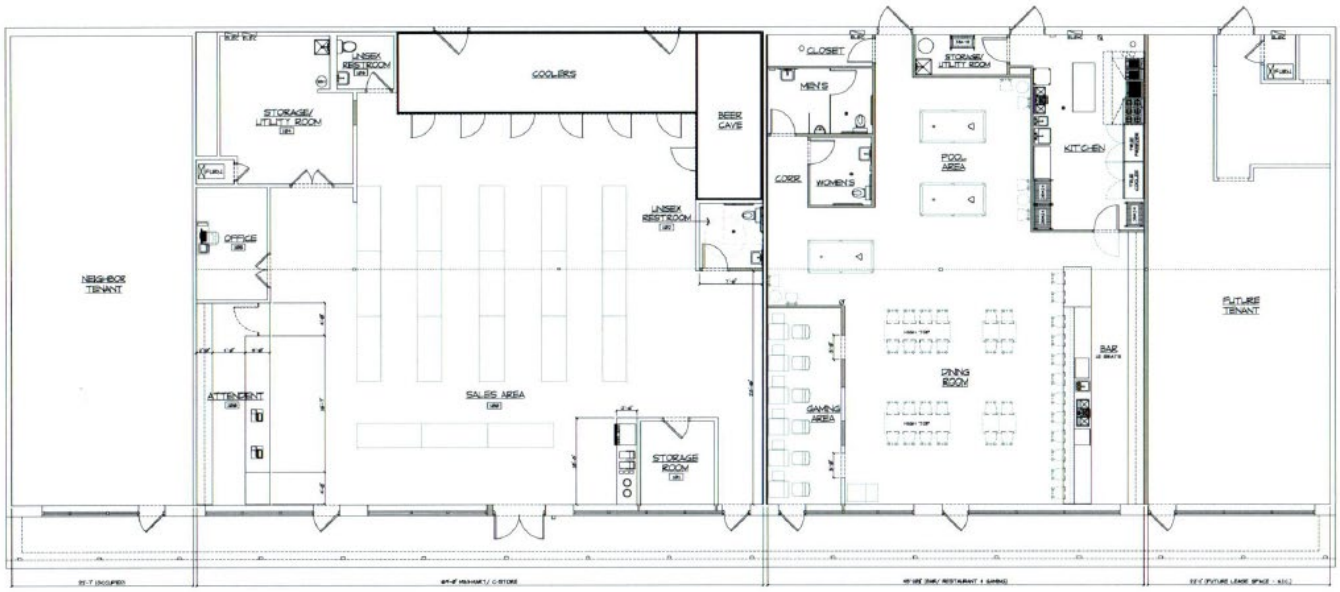
The Fairview Heights Comprehensive Plan Future Land Use Map identifies the subject site as Regional Commerical. This designation includes areas intended to accommodate larger commercial shopping centers and developments that serve a more regional function, drawing on a customer base that extends beyond the City limits. The proposed use does conform with the Fairview Heights Comprehensive Plan Future Land Use Map.



RETURN TO AGENDA

Site Plan





FLOOR PLAN
SCALE: 3/16" = 1'-0"
NORTH

RETURN TO AGENDA

3. **Analysis: Site Development**

The applicant is seeking approval for the construction of a tavern. In its deliberations, Planning Commission shall review general planning considerations and may impose conditions to the approval of this structure. Following are the criteria outlined in Chapter 14 of the Fairview Heights Code of Ordinances (Development Code) and proposed conditions, where applicable:

(a) Permitted uses, including maximum floor area.
The use of a liquor store is permitted in the B4 Community Business District as a special use.

b) Performance standards. (Performance standards regulate the intensity of land use to prevent adverse impact on abutting and nearby properties.)
The premises shall be maintained in good condition, free from trash and debris. Note that the dumpster location does not indicate a required enclosure.

Noise emanating from the use shall not be of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonably offensive noises due to intermittence, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

No obnoxious, toxic or corrosive matter, smoke, fumes or gases shall be discharged into the air or across the boundaries of any lot in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare or to cause injury or damage to property or business.

(c) Height limitations.
The building height meets the height requirements for B-4.

(d) Minimum yard requirements.
n/a

(e) Off-street parking and loading requirements
The existing parking and loading configuration is not satisfactory to the zoning administrator. The proposed parking on the south of the property is within the right of way.

(f) Sign regulations
The size and number of signs are prescribed in Article VII of the Development Code and will be reviewed during the permitting process. The location will also be determined at that time.

(g) Minimum requirements for site development plans.
Site development plans shall depict the proposed location of buildings, parking areas, traffic circulation, landscaping, utilities, and drainage. These requirements have been met.

(h)Time limitations for commencement of construction.
Within one (1) year of approval, construction shall commence. The applicant may apply for one (1) extension of time limitation from the City in writing explaining extenuating circumstances.

(i) Trust funds, impact fees, surcharges and connection fees.
The applicant will pay all applicable fees and meet all permitting requirements of any utility or other jurisdictional unit.

(j) Rights of way dedication and road improvements.
n/a

4. **Analysis: Site Development**

To: Fairview Heights Planning Commission
From: Ryan Jenkins, Economic Development Coordinator
Subject: PC 08-26 Special Use Permit, 10218 Lincoln Trail, Fairview Heights, IL, 62208
Date: August 28th, 2026

The Land Use and Economic Development Department has reviewed the Special Use Permit application (PC 08-26) for 10218 Lincoln Trail, which proposes the establishment of a mini mart and gaming bar restaurant. While the Department recognizes that the proposed uses would occupy otherwise vacant commercial space and generate economic activity through employment, sales, and local tax revenue, we have concerns regarding whether the proposal is consistent with the City's long-term economic development objectives for the Lincoln Trail corridor.

These concerns are particularly relevant given the City's adoption of the *Lincoln Trail Great Streets Plan* adopted by City Council at the recommendation of the Planning Commission. The Plan establishes a long-term framework for strengthening the corridor's economic vitality and establishing a more resilient and attractive commercial environment. Among its stated goals is to "support the creation of a vibrant mix of uses along the corridor through infill development and targeted development types to enhance quality of life in Fairview Heights".[i]

The Plan identifies specific strategies intended to advance these goals through future development and investment along the corridor. Of particular relevance to this application is Strategy 2.2: Reposition Commercial and Retail Development Types Along the Corridor. The strategy identifies the objective of creating a more adaptable, resilient, and experience-driven corridor and encourages specialty retail, dining, entertainment, and service-oriented uses. It further emphasizes right-sizing development to meet market demand and supporting the long-term viability of the corridor.[ii]

The Department believes the intent of these provisions should be considered in the review of new development and Special Use Permit requests within the corridor. The *Great Streets Plan* establishes a clear policy direction for the evolution of Lincoln Trail's commercial environment. Its implementation is intended not merely to facilitate occupancy of existing commercial space, but to encourage development patterns and business types that strengthen the corridor's long-term market position and contribute to a more vibrant mix of uses.

In the Department's assessment, the proposed combination of uses provides limited advancement of that objective. The proposal would primarily introduce convenience-oriented retail, alcohol, and tobacco sales, and gaming-oriented entertainment. While each of these activities may have a place within the City's broader commercial environment, the proposed combination does not materially contribute to the targeted repositioning of commercial and retail development established by the strategies outlined in the *Great Streets Plan*.

Accordingly, based on these considerations, the Land Use and Economic Development Department recommends that the Planning Commission deny the Special Use Permit as currently proposed.

Respectfully,

Ryan Jenkins

Ryan Jenkins
Economic Development Coordinator

[i] City of Fairview Heights, *Lincoln Trail Great Streets Plan*, 2025, p. 76.
[ii] City of Fairview Heights, p.78.

RETURN TO AGENDA

Exhibits

1. Applicant's Narrative and Excerpted Supporting Documents
2. Resolution and Findings of Fact
3. Public Notice

RETURN TO AGENDA

APPLICATION FOR SPECIAL USE PERMIT

FAIRVIEW HEIGHTS

08/07/26 DATE APPLICATION RECEIVED BY LUD

Department of Land Use and Economic Development
10025 Bunkum Road
Fairview Heights, IL 62208
Phone (618) 489-2060

OFFICE USE ONLY	
DATE APPLICATION DEEMED COMPLETE: 08/07/26	CASE NUMBER ASSIGNED: PC 08-26
RESUBMITTALS RECEIVED/DATE:	APPLICATION FEES PAID (*$150 + $25 per acre above one acre*): $150
ZONING DISTRICT: B4 - Retail Business	DATE PUBLIC NOTICE SIGN POSTED: 08/24/26
DATE SET FOR HEARING: 09/08/26	NEWSPAPER NAME AND PUBLICATION DATE: Herald Publications 08/27
APPLICATION CIRCULATION DATE_____: Comments Received: ☐ Public Works ☐ Fire District ☐ Parks and Recreation ☐ Economic Development ☐ Police Department ☐ Finance Department ☐ Administration Department ☐ Other	AUTHORITY MEETING DATE/RECOMMENDATION: ☐ Planning Commission 09/08/_____ ☐ Community Committee_____/_____ ☐ City Council_____/_____
DATE OF MEETING: 09/08/26	RESOLUTION NUMBER: *(Maintain copy with LUD file)*

Special Use Permits are reviewed by the City's Planning Commission, Community Committee and City Council. City Council has the final decision on the application. Representation is required at these meetings.

Applicants are encouraged to schedule a pre-application conference with the Director of Land Use and Development prior to submittal. The application will be processed and scheduled for Plan Commission consideration after it is deemed complete.

Applicants ***are responsible for the following:***

1. Two hard copies and one electronic version of the completed application and submittal requirements. The application deadline to the Department of Land Use and Development is at least thirty-six (36) days prior to the Plan Commission meeting.
2. Application fees.

RETURN TO AGENDA

PROJECT INFORMATION FOR SPECIAL USE PERMIT

Project Name:	Covenience - Mini Mart & Bar/ Gaming Restaurant Build-Outs
Project Address:	10218 Lincoln Trail Road, Fairview Heights, IL 62208
Parcel ID:	#03290400117
Current Use of Property:	Retail/ Mercantile, Only one store open
Project Size/Acreage:	Existing/ N/A
Number of Lots:	1
Density:	Existing/ N/A

CONTACT INFORMATION FOR SPECIAL USE PERMIT

Property Owner(s):	Pariaarby LLC – Bobby Patel
Mailing Address:	10218 Lincoln Trail Road, Fairview Heights, IL 62208
Phone:	(609) 325-1027
E-Mail:	Parb5513@gmail.com

Applicant/agent:	Brian T. Nickas, AIA
Relationship to owner:	Architect
Mailing Address:	452 Micahs Way, Columbia, IL 62236
Phone:	(618) 531-0107
E-Mail:	brian.nickas@nickasarchitect.com

AUTHORIZATION

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and are consistent with the ordinances relating to this application. I also understand that as the applicant, it is my responsibility to obtain all additional approvals, permits or licenses required by any applicable regulatory agency for this project.

I consent that the entry upon the premises described in this application by an authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF THE OWNER OF RECORD OR AUTHORIZED APPLICANT/AGENT.

Signature of Owner: Brian T. Nickas, AIA Date: 8/7/26
Printed Name:

Signature of Applicant: Date: 8/7/26
Printed Name:

RETURN TO AGENDA

SUBMITTAL REQUIREMENTS FOR SPECIAL USE PERMIT

The minimum standards for land subdivision and development are contained in Section 14-9-8 of the City's Development Code. Please consult this section, as well as the relevant zoning district regulations, when preparing the application. http://www.cofh.org/DocumentCenter/View/298/COMPLETE-PDF-CODE

1. *Site plan- drawn to scale and includes the following information:
   a. Location and dimensions of lot (boundary) and *adjacent* properties and right of way; note zoning designation of surrounding properties
   b. Location and dimensions of existing and proposed buildings and structures
   c. Location and size of proposed off-street parking, loading areas, pedestrian facilities, curbcuts/driveways and vehicular traffic circulation, and relationship to adjacent circulation systems (all curb cuts within 150' of property and road intersections)
   d. Distances between buildings (front, side, and rear lot lines); principal building and accessory buildings; principal building and principal buildings on adjacent lots
   e. Location of public and/or private utilities and facilities proposed to serve the subject area; including water supply, sewage, and drainage facilities
   f. Location of light standards
   g. Size and design of signs
   h. Location and type of landscaping (of a sufficient detail to ensure parking lot landscaping and buffer requirements are met). Indicate existing and to be removed landscaping
   i. Small key map
   j. Any additional information as may be reasonably required by the Land Use and Development Department

   NOTE: ALL INFORMATION SHALL BE PROVIDED ON A SINGLE SHEET, UNLESS OTHERWISE AGREED BY THE DIRECTOR OF LAND USE AND DEVELOPMENT. RE-OCCUPANCIES MAY NOT REQUIRE ALL INFORMATION; PLEASE CONSULT WITH LUD.

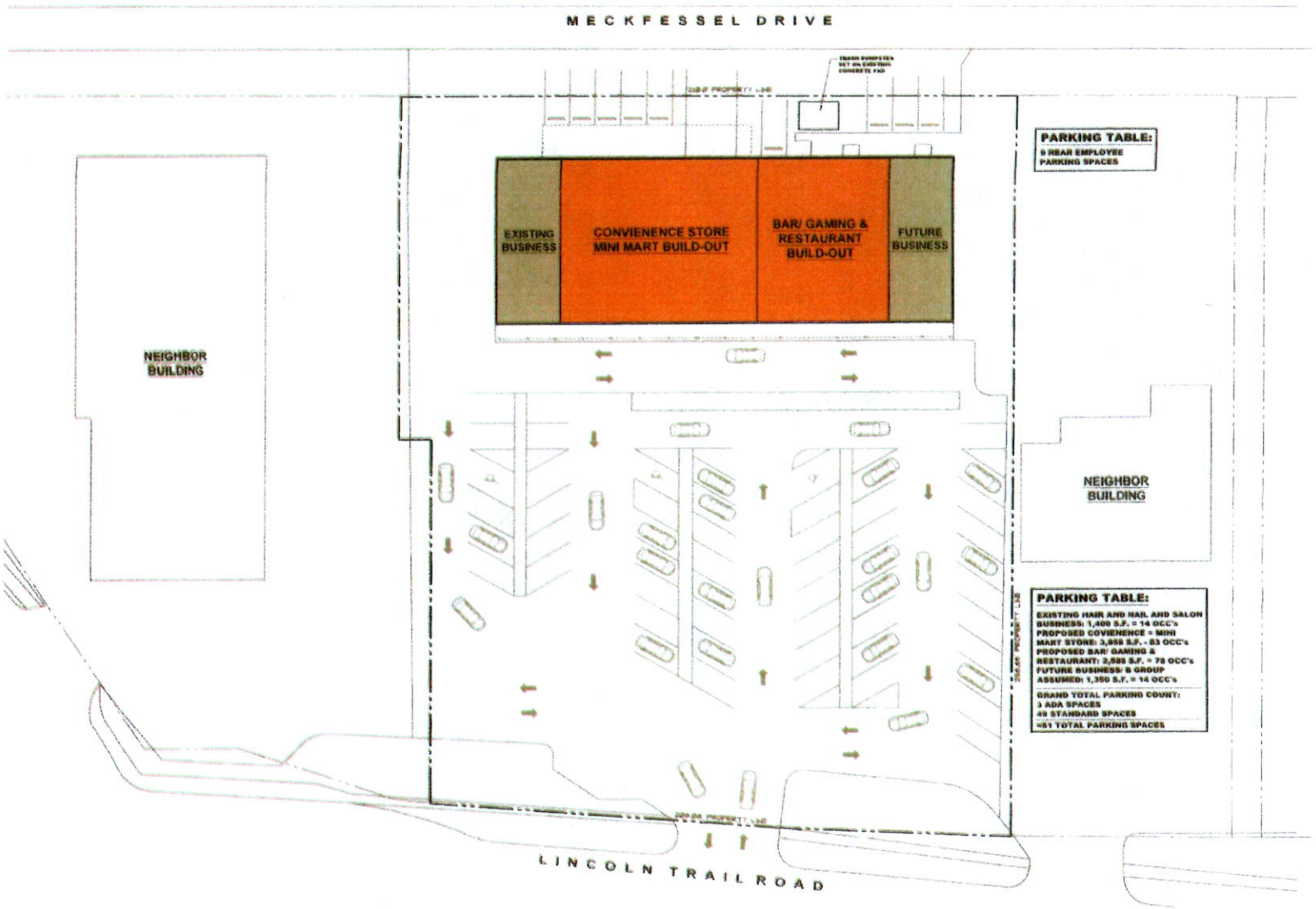
2. Narrative- statement describing the proposed project, estimated development schedule, economic viability of the project, extent of grading, anticipated traffic, impact upon community, and other information considered relevant to the project.

3. Photographs- aerial and/or ground-level photographs of the site

4. Building elevations or perspectives- to show compatibility with surrounding area and of sufficient detail to ensure building material requirements are met *(for new construction and significant rehabilitation only)*

5. Floor plan drawn to approximate scale and dimensioned *(for new construction, change of use and significant rehabilitation only)*

6. Legal description of the property



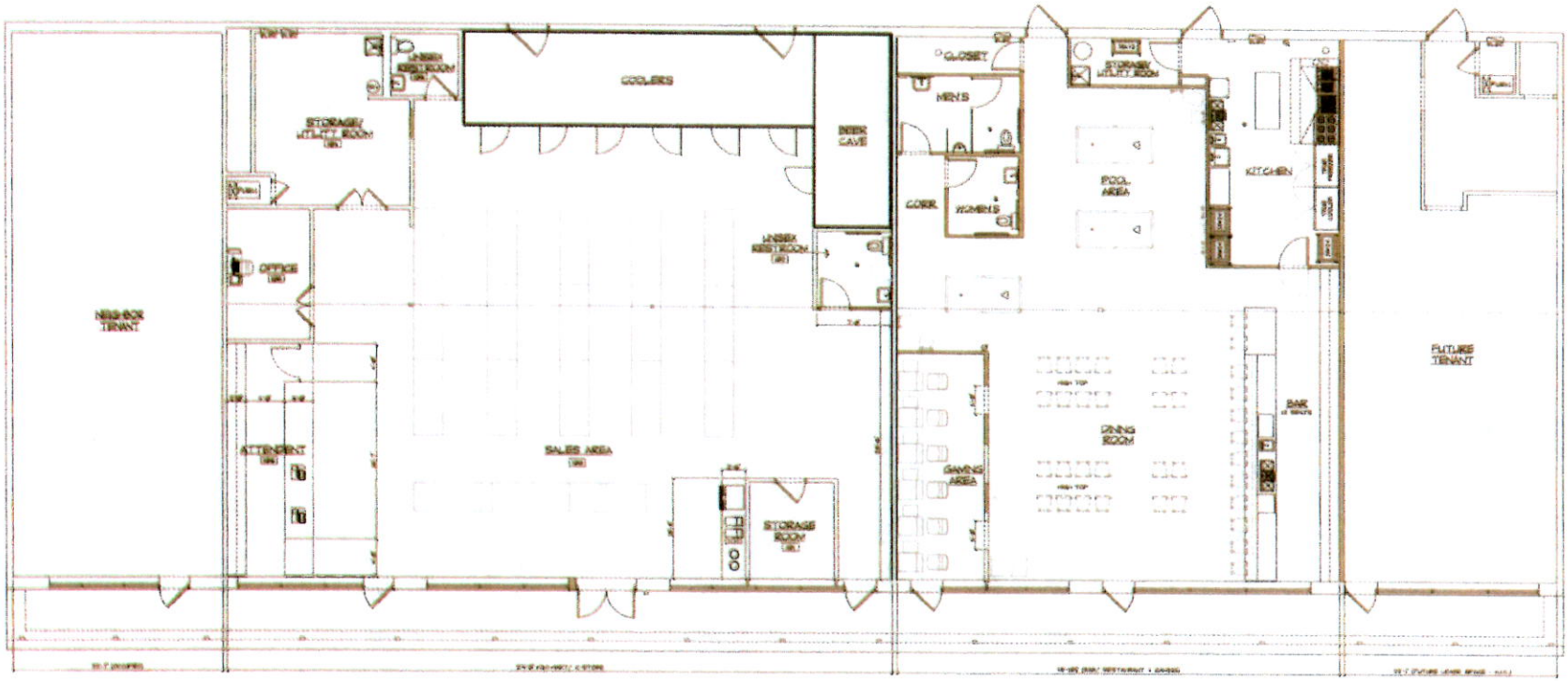
CONVIENENCE - MINI MART &
BAR/ GAMING RESTAURANT BUILD-OUTS

OWNER: BOBBY PATEL
10218 LINCOLN TRAIL ROAD - SUITES 2 THRU 6
FAIRVIEW HEIGHTS, ILLINOIS 62208
OCTOBER 9, 2025

SITE PLAN
SCALE: 1/16" = 1'-0"

NICKAS ARCHITECTURE, LLC

RETURN TO AGENDA



FLOOR PLAN

SCALE: 3/16" = 1'-0"

CONVIENENCE - MINI MART &
BAR/ GAMING RESTAURANT BUILD-OUTS

OWNER: BOBBY PATEL
10218 LINCOLN TRAIL ROAD - SUITES 2 THRU 6
FAIRVIEW HEIGHTS, ILLINOIS 62208
OCTOBER 9, 2025

NICKAS ARCHITECTURE, LLC

RETURN TO AGENDA

RETURN TO AGENDA

DEPARTMENT OF LAND USE AND DEVELOPMENT

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, September 8, 2026, at 7:00 p.m. This meeting will be held both in person at the Fairview Heights City Hall, 10025 Bunkum Road, 62208, and virtually. Parties interested in attending the meeting virtually should contact Dallas Alley, Director of Land Use and Development, at (618) 489-2061 or alley@cofh.org for instructions and visit the City's website for an agenda and meeting materials at www.cofh.org.

At this meeting, the Commission will consider a Special Use Permit in the "B4" Retail Business zoning district for a convenience mini mart, bar and gaming restaurant, also identified by St. Clair County PIN(s) 03-29.0-400-117.

Request was made by Brian Nickas – 452 Micahs Way, Columbia, IL 62236.

All persons desiring to be heard on this proposal may attend either in person or virtually.

Dated this 24th day of August 2026.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Dallas Alley, Director of Land Use & Development

PC 08-26

RETURN TO AGENDA

PROPOSED RESOLUTION NO. 72-'26

A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 4744-2026 REGARDING THE CITY'S AUTHORIZATION OF THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE PURCHASE AND INSTALLATION OF A NEW BOILER FOR THE POOL AT THE REC

THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS ("CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS; NOW OPERATING UNDER THE PROVISIONS OF THE ILLINOIS MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED, AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

WHEREAS, the City previously determined that a new boiler is necessary to adequately heat the swimming pool at The REC; and

WHEREAS, the City previously passed Resolution No. 4744-2026, which authorized the Mayor to enter into an agreement with a qualified vendor for the purchase and installation of a new boiler for the swimming pool at The REC, following the review and selection of an acceptable bid, in an amount not to exceed Eighty-Five Thousand Dollars ($85,000.00); and

WHEREAS, more specifically, Resolution No. 4744-2026 authorized the Mayor, on behalf of the City, to enter into an agreement with Hoffmann Brothers Heating and Air Conditioning, Inc., for the purchase and installation of a new boiler for the swimming pool at The REC in the amount of Eighty-Four Thousand Six Hundred Dollars ($84,600.00), which was the amount bid by Hoffmann Brothers Heating and Air Conditioning, Inc. for the purchase and installation of a new boiler; and

WHEREAS, the City chose the bid by Hoffmann Brothers Heating and Air Conditioning, Inc. based upon the above-referenced bid amount and the expeditious delivery and installation date provided in said bid; and

WHEREAS, following the City’s passing of Resolution No. 4744-2026 and prior to the entry of any agreement, Hoffmann Brothers Heating and Air Conditioning, Inc. advised the City that they mistakenly underquoted their bid in the amount of Eighty-Four Thousand Six Hundred Dollars ($84,600.00), and further advised the City that delivery and installation of the new boiler would be delayed beyond the date provided in the bid; and

WHEREAS, based upon the foregoing, the City desires to authorize the Mayor to enter into an agreement with a different qualified vendor upon review and selection of an acceptable and reasonable bid, at a cost not to exceed Eighty-Five Thousand Dollars ($85,000.00).

RETURN TO AGENDA

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS, AS FOLLOWS:

SECTION 1. Resolution No. 4744-2026 is hereby repealed, and the Mayor is hereby authorized and directed, on behalf of the City, to enter into an agreement with a qualified vendor for the purchase and installation of a new boiler for the swimming pool at The REC, following the review and selection of an acceptable bid, in an amount not to exceed Eighty-Five Thousand Dollars ($85,000.00).

SECTION 2. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED:

APPROVED:

_____
MARK T. KUPSKY, MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

_____
KAREN KAUFHOLD, CITY CLERK

DRAFT

RETURN TO AGENDA

JEN Mechanical, Inc.

Sheet Metal • HVAC • Controls

October 9, 2026

Frederick Carpenter

Rec Center Fairview Heights

Project:	Recreation Center
Re:	Boiler Replacement (commercial pool package)

On behalf of JEN Mechanical Inc., I would like to thank you for the opportunity to offer our services on the above mentioned project. We will perform the below scope of work.

BASE SCOPE OF WORK: $ 76,500.00 equipment and labor

1. Provide and install (1) new Lochinvar Model # APX800 commercial pool package with pump package and remote exchanger to protect boiler from pool chemicals.
2. Provide all labor and materials to install new equipment and make all piping connections.
3. Provide all labor and materials to connect electrical power.
4. Provide all labor and materials to install new flue piping.
5. Demo and disposal of existing equipment included.
6. Provide factory system start up and function test.
7. Equipment has a 10-12 week lead time.

QUALIFICATIONS /EXCLUSIONS:

1. All work to be performed during regular hours (7:00 AM – 3:30 PM).
2. No removal or disposal of any hazardous wastes.

Sincerely,

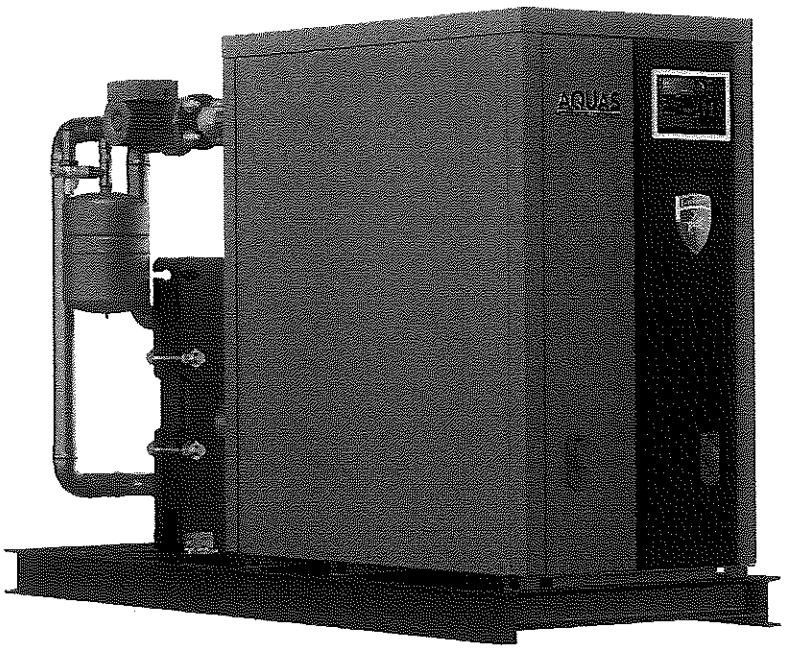
JEN Mechanical, Inc.

ETHAN HAUSMAN
(618) 779-2019

RETURN TO AGENDA

AQUAS™

COMMERCIAL POOL PACKAGE



Standard Features

- **97% Thermal Efficiency**
- **Modulating Burner with 10:1 Turndown**
  - Direct Spark Ignition
  - Low NOx Operation
  - Sealed Combustion
  - Low Gas Pressure Operation
- **Stainless Steel Water Tube Heat Exchanger**
  - ASME-Certified, "H" Stamped
  - 160 psi Working Pressure
  - 50 psi Relief Valve
  - Combustion Analyzer Test Port
  - Fully Welded Design
- **Smart System Control**
- **Vertical and Horizontal Direct Vent**
  - Direct Vent up to 150 feet
  - PVC, CPVC, Polypropylene or AL29-4C
    - Factory Supplied Sidewall Vent Termination
- **Other Features**
  - On/Off Switch
  - Adjustable High Limit with Manual Reset
  - Automatic Reset High Limit
  - Flow Switch
  - Flue Temperature Sensor
  - Low Air Pressure Switch
  - Temperature and Pressure Gauge
  - Condensate Trap
  - 10-Year Limited Warranty (See Warranty)

Optional Equipment

- ☐ *CON·X·US Remote Connect*
- ☐ *Alarm on Any Failure*
- ☐ *Condensate Neutralization Kit*
- ☐ *High & Low Gas Pressure Switches w/ Manual Reset*
- ☐ *Room Air Kit*
- ☐ *Secondary Heat Exchangers*
- ☐ *BMS Gateways for LON or BACnet*
- ☐ *Outdoor Conversion Kit*

Firing Codes

M9 Standard Construction

M7 California Code

M13 CSD1 / Factory Mutual / GE Gap (500 - 850)

Lochinvar®

Lochinvar, LLC
300 Maddox Simpson Parkway
Lebanon, Tennessee 37090
P: 615.889.8900 / F: 615.547.1000
Lochinvar.com

H

7/25 — Printed in U.S.A.

RETURN TO AGENDA

Lochinvar®

AQUAS™ COMMERCIAL POOL PACKAGE

Submittal Sheet **APX-Sub-02**

AQUAS™ (399-999 MBTU/HR) COMMERCIAL POOL PACKAGE

Job Name: Fairview Heights Rec Center

Location: Fairview Heights, IL

Engineer:

Agent/Wholesaler: Behrmann Company

Contractor: JEN Mechanical

Model No. APX800/APX1000

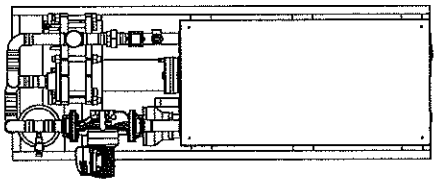
Type Gas Natural

Btu/Hr Input _____ Btu/Hr Output _____

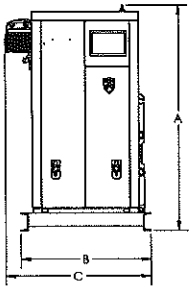
Equipment Tag(s):

NOTES:

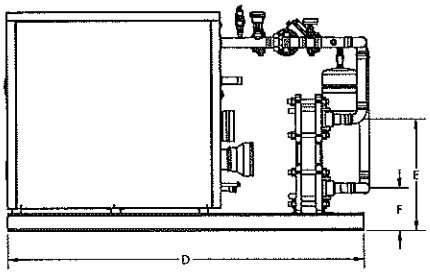
APX400 - 1000



TOP



FRONT



SIDE

Model Number	Input Btu/hr	Turn Down	A	B	C	D	E	F	Pool Conn.	Gas Conn.	Vent Size	Air Inlet	Pool Flow (GPM)	Ship Wt.
Indoor Models														
Ø APX400N	399,000	10:01	48 7/8"	29 1/4"	-	63 1/8"	24 7/8"	9 5/8"	3"	1"	4"	4"	52	1189
Ø APX500N	500,000	10:01	48 7/8"	29 1/4"	-	63 1/8"	24 7/8"	9 5/8"	3"	1"	4"	4"	65	1205
Ø APX650N	650,000	10:01	48 7/8"	29 1/4"	-	73 5/8"	24 7/8"	9 5/8"	3"	1 1/4"	6"	4"	84	1398
✓ APX800N	800,000	10:01	50 1/4"	29 1/4"	32 3/4"	73 5/8"	24 7/8"	9 5/8"	3"	1 1/4"	6"	4"	103	1417
✓ APX1000N	999,000	10:01	50 1/4"	29 1/4"	32 3/4"	81 3/8"	24 7/8"	9 5/8"	3"	1 1/4"	6"	6"	129	1521

Notes: *Performance data is based on manufacturer test results. Agency certification applies to the boiler.*

RETURN TO AGENDA

PROPOSED RESOLUTION NO. 73-'26

A RESOLUTION APPROVING A SPECIAL USE PERMIT AT 5515 OLD COLLINSVILLE ROAD WITHIN THE "B-3" COMMUNITY BUSINESS DISTRICT TO ALLOW A FENCE AND DECK RETAILER AND INSTALLER.

WHEREAS, the Planning Commission on October 13, 2026 held the necessary Public Hearing and reviewed the special use application and has transmitted its Advisory Report recommending approval of the application to the City Council.

WHEREAS, the Community Committee of City Council on October 21, 2026 reviewed the special use application and the Planning Commission Advisory Report and recommended forwarding same to the full City Council for consideration recommending approval of the application.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. APPROVAL. The special use permit for 5515 Old Collinsville Road within the "B-3" Community Business District to allow a fence and deck retailer and installer is hereby approved.

SECTION 2. CONDITIONS. The conditions of this Special Use Permit are contained in the Findings of Fact adopted by Planning Commission Resolution PC 10-26 and attached hereto, made a part hereof and marked "EXHIBIT A."

SECTION 3. SUPPORTING DOCUMENTS. A copy of the Planning Commission's Advisory Report is attached hereto, made a part hereof and marked "EXHIBIT B." A copy of the application documents are attached hereto made a part hereof and marked "EXHIBIT C."

SECTION 4. PASSAGE. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED:

APPROVED:

_____
MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

_____
KAREN J. KAUFHOLD - CITY CLERK

RETURN TO AGENDA

Planning Commissioner Baldwin introduced the following resolution and moved for its adoption:

RESOLUTION PC 10-26

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR A FENCE AND DECK DEPOT, LOCATED AT 5515 OLD COLLINSVILLE RD

WHERE AS, Sean Nesbit, hereinafter referred to as the "Applicant," applied for a Special Use Permit for a fence and deck depot at parcel number 03-34.0-209-001, 03-34.0-209-002, 03-34.0-209-003, 03-34.0-209-004; commonly known as 5515 Old Collinsville Rd; and

WHEREAS, the Fairview Heights Development Code requires that an outdoor storage area or lumber yard in the B3 – Community Business District be approved as a special use;

WHEREAS, the Applicant has properly applied for a Special Use permit.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the Findings of Fact relating to the request are as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on October 13,2026, and that said public hearing was properly advertised, both of which are incorporated by reference.

2. That the subject property is zoned B3- Community Business.

3. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.

4. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.

5. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.

6. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

RETURN TO AGENDA

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Smith.

Upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, Smith, Baldwin, Hutchison

And the following voted against the same:

And the following abstained:

And the following were absent: Janice Petroff, Bill Hopkins, Sunyatta McDermott

Whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission, this the 13th day of October, 2026.

Pat Herrington

Planning Commission Chairman (Pro Tempore)

ATTEST:

Dallas Alley

Land Use Director

RETURN TO AGENDA

DEPARTMENT OF LAND USE AND ECONOMIC DEVELOPMENT

TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC 10-26

REQUEST: Special Use Permit for a fence and deck retailer and installer located at 5515 Old Collinsville Road, Fairview Heights. Also identified by St. Clair County PIN(s) 03-34.0-209-001, 03-34.0-209-002 03-34.0-209-003, 03-34.0-209-004. *VOTE REQUESTED.*

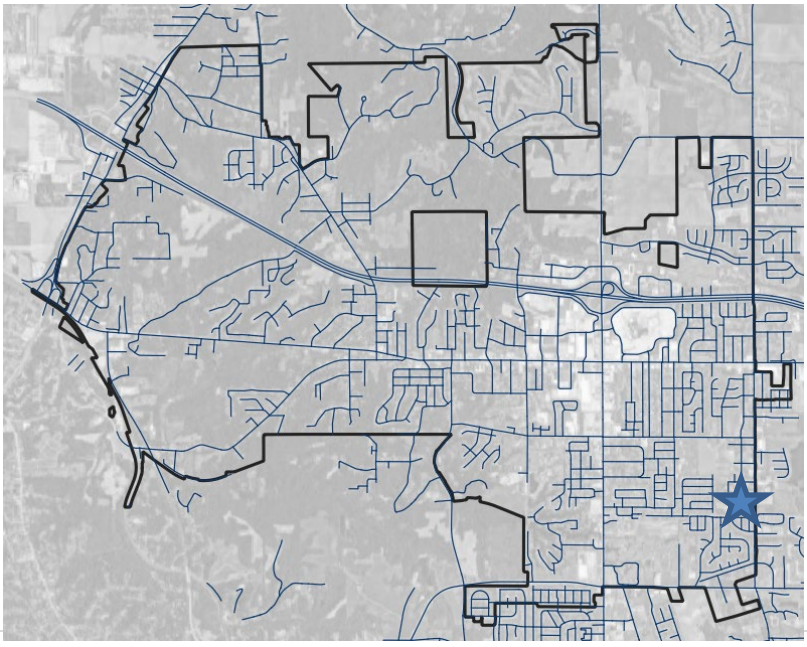
APPLICANT NAME: Sean Nesbit – Fence and Deck Depot

MEETING DATE: October 13, 2026

ZONING: B3 – Community Business

PLANNING COMMISION ACTION: Consideration of the Special Use Permit, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

GENERAL LOCATION:



RETURN TO AGENDA

STAFF ADVISORY

1. BACKGROUND

The City of Fairview Heights Development Code divides the City into districts and establishes a set of land uses that are either "permitted" or "special". Permitted uses are compatible land uses authorized as a matter of right. Special uses are those that may cause potential conflict depending on the scope of the operation. A special use may be allowed after a review by Plan Commission and City Council, in accordance with Development Code section 14-10-8. Each special use is evaluated on its own merits.

The applicant is seeking approval for the operation of a fence and deck retailer and installer

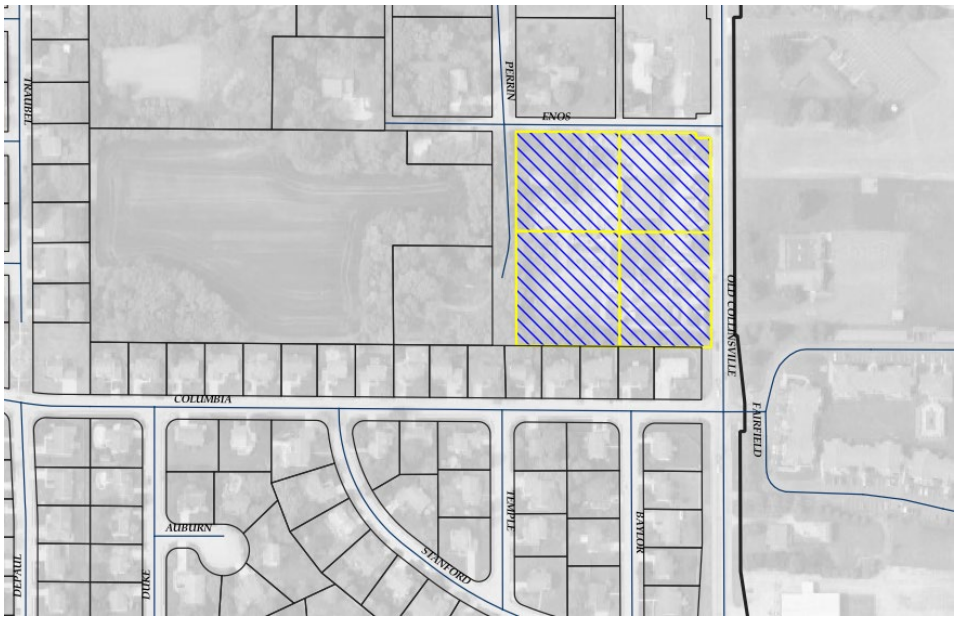
The subject property is located at 5515 Old Collinsville Road, and is zoned B-3 – Community Business. This zoning district is intended for a variety of commercial uses such as retail, office, and restaurant uses. The retail fence and deck establishment use is permitted as a special use; which requires a Special Use Permit.

2. DISCUSSION

Context

The subject site is located in the eastern portion of the city, north of Frank Scott Parkway, and along Old Collinsville Road. It is comprised of four parcels.

The zoning designation for these parcels is B-3 Community Business. This zoning district is intended to provide for a variety of commercial uses such as retail, office, and restaurant uses. Uses must be approved by the Planning Commission as established in Development Code Section 14-04-02, Permitted and Special Uses in Commercial Districts.



RETURN TO AGENDA

Zoning: Site and Surrounding Areas

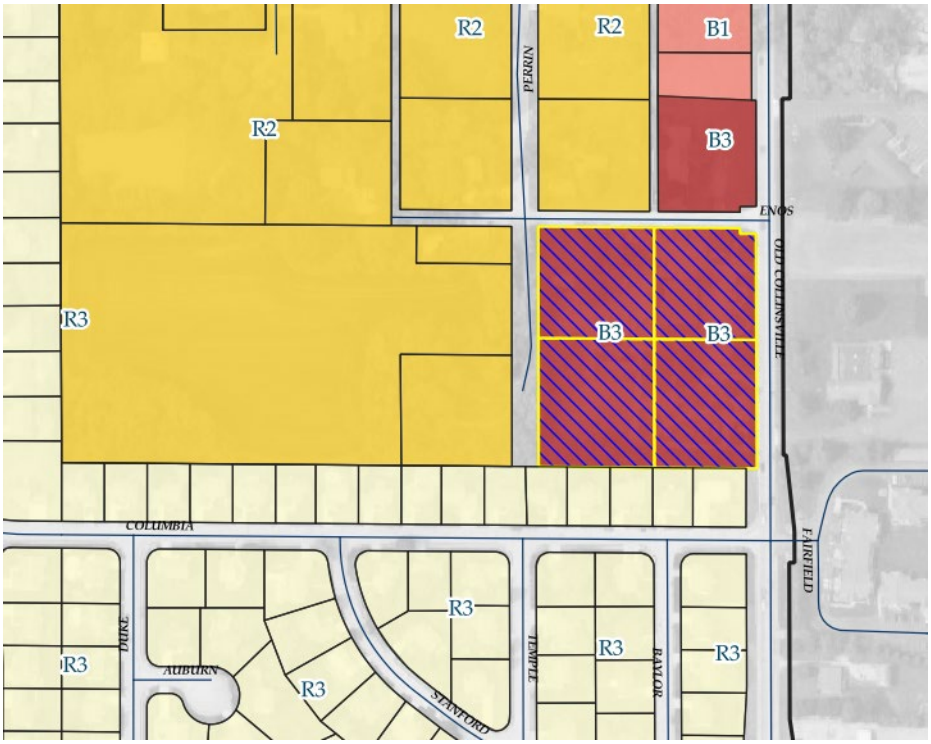
The zoning and land uses of adjoining and surrounding properties are as follows:

North: B3 and R2 – Community Business and Single Family Residential;

South: R3 – Single Family Residential;

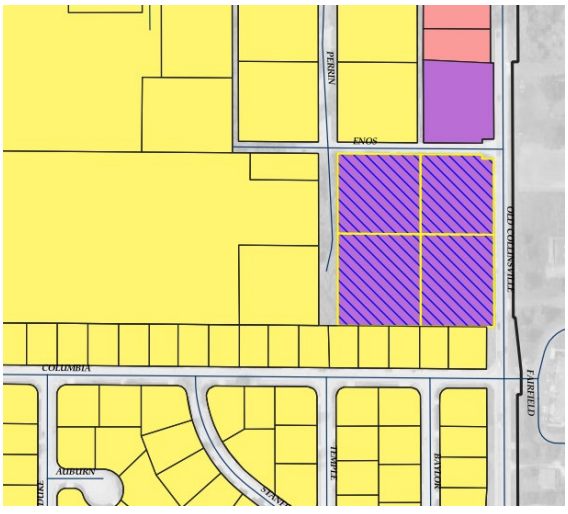
West: R2 – Single Family Residential

East: Outside the City Limits



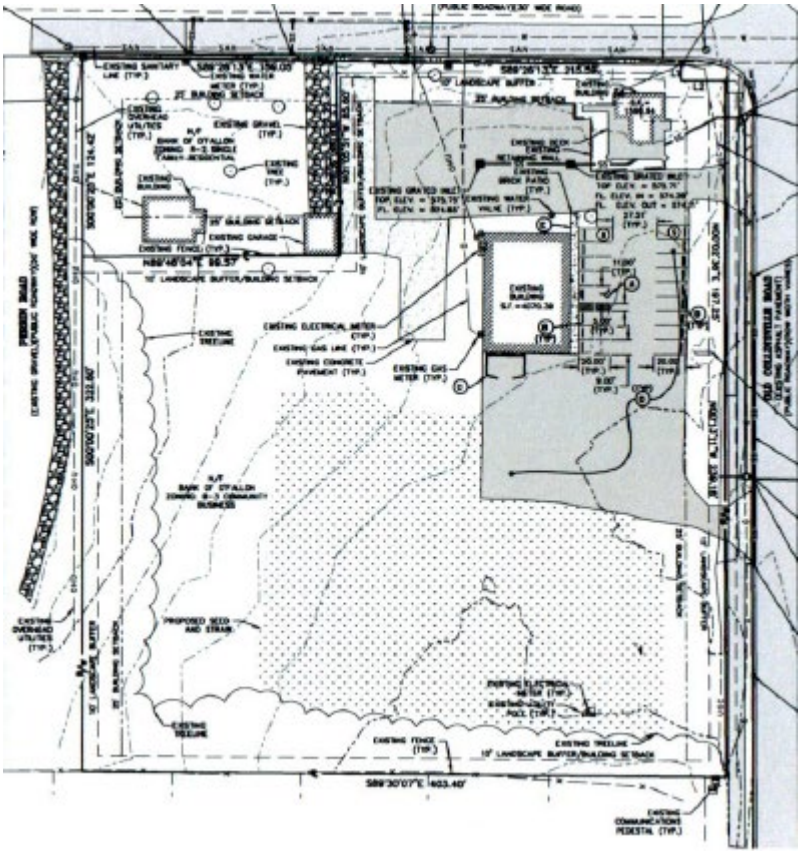
Future Land Use: Site and Surrounding Areas

The Fairview Heights Comprehensive Plan Future Land Use Map identifies the subject site as Corridor Commerical, which comprise linear retail areas along priamry roadways and serve the needs of the larger Fairview Heights community as well as passing motorists. The proposed use does conform with the Fairview Heights Comprehensive Plan Future Land Use Map.



RETURN TO AGENDA

Site Plan



I. **Analysis: Site Development**

The applicant is seeking approval for the operation of a retail fence and deck establishment. In its deliberations, Planning Commission shall review general planning considerations and may impose conditions to the approval of this structure. Following are the criteria outlined in Chapter 14 of the Fairview Heights Code of Ordinances (Development Code) and proposed conditions, where applicable:

(a) Permitted uses, including maximum floor area.
The use of a retail deck and fence establishment is permitted in the B3 Community Business District as a special use.

b) Performance standards. (Performance standards regulate the intensity of land use to prevent adverse impact on abutting and nearby properties.)
The premises shall be maintained in good condition, free from trash and debris.

Noise emanating from the use shall not be of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonably offensive noises due to intermittence, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

No obnoxious, toxic or corrosive matter, smoke, fumes or gases shall be discharged into the air or across the boundaries of any lot in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare or to cause injury or damage to property or business.

(c) Height limitations.
The building height meets the height requirements for B-3.

(d) Minimum yard requirements.
The proposed site plan meets minimum yard requirements

(e) Off-street parking and loading requirements
The existing parking and loading configuration is satisfactory to the zoning administrator.

(f) Sign regulations
The size and number of signs are prescribed in Article VII of the Development Code and will be reviewed during the permitting process. The location will also be determined at that time.

(g) Minimum requirements for site development plans.
Site development plans shall depict the proposed location of buildings, parking areas, traffic circulation, landscaping, utilities, and drainage. These requirements have been met.

(h)Time limitations for commencement of construction.
Within one (1) year of approval, construction shall commence. The applicant may apply for one (1) extension of time limitation from the City in writing explaining extenuating circumstances.

(i) Trust funds, impact fees, surcharges and connection fees.
The applicant will pay all applicable fees and meet all permitting requirements of any utility or other jurisdictional unit.

(j) Rights of way dedication and road improvements.
n/a

Exhibits

1. Applicant's Narrative and Excerpted Supporting Documents
2. Resolution and Findings of Fact
3. Public notice

RETURN TO AGENDA

APPLICATION FOR SPECIAL USE PERMIT

09/08/26 DATE APPLICATION RECEIVED BY LUD

Department of Land Use and Development
10025 Bunkum Road
Fairview Heights, IL 62208
Phone (618) 489-2060

OFFICE USE ONLY	
DATE APPLICATION DEEMED COMPLETE:	CASE NUMBER ASSIGNED: PC 10-26
RESUBMITTALS RECEIVED/DATE:	APPLICATION FEES PAID (*$150 + $25 per acre above one acre, + $50 Publication fee*): 300.75
ZONING DISTRICT: B3 - Community Business	DATE PUBLIC NOTICE SIGN POSTED BY STAFF:
DATE SET FOR HEARING: 10/13/26	NEWSPAPER NAME AND PUBLICATION DATE:
APPLICATION CIRCULATION DATE_____: Comments Received: ☐ Public Works ☐ Fire District ☐ Parks and Recreation ☐ Economic Development ☐ Police Department ☐ Finance Department ☐ Administration Department ☐ Other	AUTHORITY MEETING DATE/RECOMMENDATION: ☐ Planning Commission 10/13 /_____ ☐ Community Committee_____/_____ ☐ City Council_____/_____
	CITY COUNCIL RESOLUTION NUMBER: *(Maintain copy with LUD file)*

Applicants should submit two hard copies and one electronic version of the completed application and submittal requirements (attachments) to the Department of Land Use and Development at least thirty-six (36) days prior to the Plan Commission meeting. All application fees must be included in order for the application to be deemed complete.

The SUP procedures are found in Section 14-10-8 of the Development Code. Applicants should be aware that a public hearing will be conducted at Plan Commission. This hearing allows the applicant and any other person(s) with interest in the matter to provide comments for the official record. Public notification requirements include publishing a notice of hearing in a newspaper of general circulation at least 15 days prior to the hearing, placing a hearing sign on the property and notifying surrounding property owners (within 300 feet of the subject parcel) of the application. City staff will complete the public notification tasks. .

dotloop signature verification: dtlp.us/mL6O-kADU-3t8W

RETURN TO AGENDA

PROJECT INFORMATION FOR SPECIAL USE PERMIT

Project Name:	Fence and Deck Depot
Project Address:	5515 Old Collinsville Road, Fairview Heights, IL
Parcel ID:	03340209003, 03340209004, 03340209002, 03340209001
Current Use of Property:	Abandoned
Project Size/Acreage:	4.13 Acres
Number of Lots:	4
Density:	0.48 Units/Acre

CONTACT INFORMATION FOR SPECIAL USE PERMIT

Property Owner(s):	Bank of O'Fallon
Mailing Address:	901 S Lincoln AV, O'Fallon IL
Phone:	618-632-3595
E-Mail:	information@bankofallon.com mwarchol@bankofallon.com

Applicant/agent:	Sean Nesbit
Relationship to owner:	Prospective Property Purchaser
Mailing Address:	1432 South Drive, St. Charles MO
Phone:	636-441-7374
E-Mail:	snesbit@fencedepotco.com

AUTHORIZATION

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and are consistent with the ordinances relating to this application. I also understand that as the applicant, it is my responsibility to obtain all additional approvals, permits or licenses required by any applicable regulatory agency for this project.

I consent that the entry upon the premises described in this application by an authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF THE OWNER OF RECORD OR AUTHORIZED APPLICANT/AGENT

Signature of Owner: Matt Warchol dotloop verified 09/05/26 10:32 AM CDT GLTU-MSXG-RVAF-T6LQ Date: 9/7/26
Printed Name:

Signature of Applicant: Sean Nesbit Date: 9/4/26
Printed Name:

RETURN TO AGENDA

PROJECT NARRATIVE

The project site is located at 5515 Old Collinsville Road, Fairview Heights, IL. The proposed Fence and Deck Depot project involves the improvement and adaptive reuse of an existing developed site to accommodate office and warehouse space supporting the company's operations. The project is intended to make productive use of the existing property while providing a convenient local source for fence and deck materials and supplies.

Site improvements will primarily focus on updating the existing facilities and preparing the property for the proposed office and warehouse uses. Only minimal grading and site disturbance are anticipated, allowing the project to utilize the existing site conditions and infrastructure to the greatest extent practical.

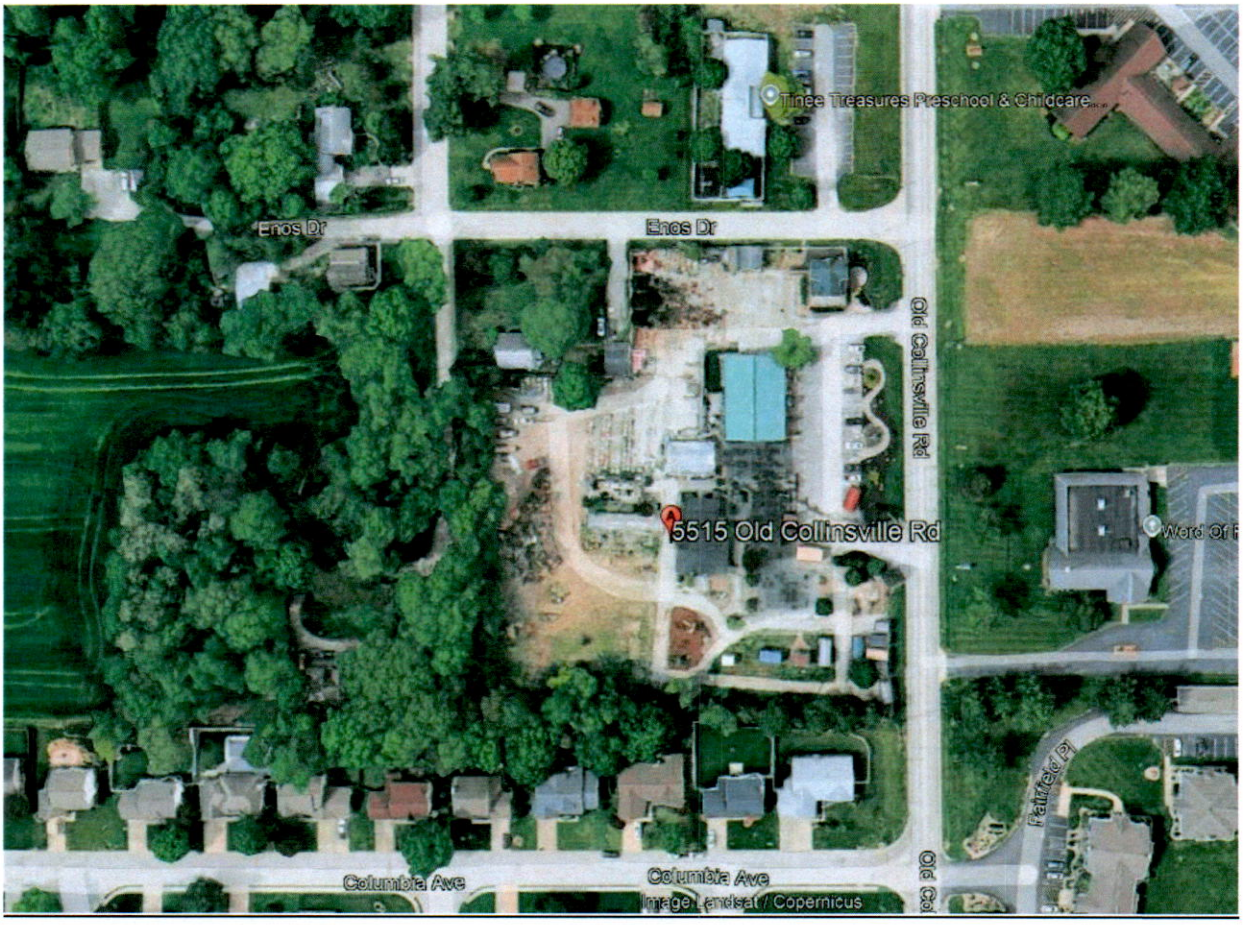
The proposed use is not anticipated to generate a significant increase in traffic or create additional impacts to the surrounding roadway network. Operations will consist primarily of office activities, warehousing, material storage, and the distribution and sale of fence and deck supplies.

The project will provide a positive contribution to the surrounding community by bringing new employment opportunities to the area and supporting continued economic activity. Fence and Deck Depot will also provide residents with convenient access to fencing and decking materials and related supplies.

Overall, the project represents a practical reinvestment in an existing developed property with limited site disturbance and minimal additional impact on surrounding infrastructure. The proposed improvements will enhance the functionality and appearance of the property while establishing a productive use that provides jobs and services to the community.

RETURN TO AGENDA

SITE PHOTOGRAPHS



RETURN TO AGENDA





RETURN TO AGENDA





RETURN TO AGENDA

BUFFERING PARCELS

WAGNER, PATTI - 5501 PERRIN RD, FAIRVIEW HEIGHTS IL

RUKAVINA, JON - 216 BELMONT RD COLLINSVILLE IL

HANFT, ALEX M - 5519 PERRIN RD FAIRVIEW HEIGHTS IL

BIALAS, STANISLAW - 5603 PERRIN FAIRVIEW HEIGHTS IL

FINLEY, NANETTE - 5610 PERRIN RD FAIRVIEW HEIGHTS IL

TINEE TREASURES LLC - 561 OLD COLLINSVILLE RD FAIRVIEW HEIGHTS IL

MEISE BROTHERS CONSTRUCTION IN - PO BOX 2001 FAIRVIEW HEIGHTS IL

BETHANY LUTHERAN CHURCH 5600 OLD COLLINSVILLE RD FAIRVIEW HTS IL

GATHERING PLACE CHURCH OF GOD - 5500 OLD COLLINSVILLE RD FAIRVIEW HEIGHTS IL

5400 FAIRFIELD PLACE LLC - 2015 FAIRFIELD PL O FALLON IL

EDWARDS ESAU &, WILLIAMS KIMMI - 5434 BAYLOR DR FAIRVIEW HEIGHTS IL

WILLIAMS, KATIE D - 5428 BAYLOR DR FAIRVIEW HEIGHTS IL

DOWD, MATTHEW R & KINJII Q - 5431 BAYLOR DR FAIRVIEW HEIGHTS IL

SONTHEIMER, MICHAEL - 5425 BAYLOR DR FAIRVIEW HTS IL

STEPHENS, GERALD G & EILEEN V - 5432 TEMPLE DR FAIRVIEW HEIGHTS IL

EISERLE, JOYCE T - 5426 TEMPLE DR FAIRVIEW HEIGHTS IL

GARRETT, KRISTIN N - 5431 TEMPLE DR FAIRVIEW HEIGHTS IL

RAMOS, JOSHUA R & JENNA M - 5425 TEMPLE DR FAIRVIEW HEIGHTS IL

GREEN, MARIA - 950 COLUMBIA AV FAIRVIEW HEIGHTS IL

MYERS, KEVIN E & LORI T 943 COLUMBIA AVE FAIRVIEW HEIGHTS IL

SCHAEFER, WILLIAM ADELE & DANI - 949 COLUMBIA AVE FAIRVIEW HEIGHTS IL

ISRAELITT, MARK E - 2521 ANTIQUE BLOSSOM AV HENDERSON NV

GREEN, PATRICIA A - 961 COLUMBIA AVE FAIRVIEW HEIGHTS IL

JONES, DARRIS & ALEXANDRA - 967 COLUMBIA AV FAIRVIEW HEIGHTS IL

ALDREDGE, JOHN A IV & JO ANNE - 973 COLUMBIA AV FAIRVIEW HEIGHTS IL

KUJAWA, PAIGE L & QUINTON W - 979 COLUMBIA AV FAIRVIEW HEIGHTS IL

SMITH, ANTHONY L & DIONNE - S 985 COLUMBIA AVE FAIRVIEW HTS IL

RIGGINS, HOLLIS JR & EVERN G - PO BOX 4042 FAIRVIEW HTS IL

RETURN TO AGENDA

LEGAL DESCRIPTION

RETURN TO AGENDA

UNOFFICIAL COPY

E-Volmert Lawoffice, LLC

DocId:8082306
Tx:4042625

DOCUMENT PREPARED BY:
E- **RETURN TO:**
Deborah J. Volmert
Volmert Law Office, LLC
1000 Eleven South, Suite 3G
Columbia, Illinois 62236

A02832501
MICHAEL CROCKETT
RECORDER OF DEEDS
ST. CLAIR COUNTY
BELLEVILLE, IL
11/26/2024 10:28:38 AM
RHSP FEE: 18.00
STATE FEE:
COUNTY FEE:
TOTAL FEE: 55.00
PAGES: 3

IN THE CIRCUIT COURT
TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS

BANK OF O'FALLON,	)	
	)	
Plaintiff,	)	
	)	Case Number 24FC0135
vs.	)	
	)	
SCOTT'S G&L LLC, et al.,	)	
	)	
Defendants.	)	

55

FORECLOSURE SALE DEED

Pursuant to and under the authority conferred in the Order Confirming Sale entered in the above entitled case on November 21, 2024, and pursuant to 735 ILCS 5/15-1509(a), this deed, sufficient to convey title to the following-described real estate, is executed by the court-appointed selling officer that conducted the sale, and is delivered to the holder of the Certificate of Sale. The undersigned states:

1. Above appears the caption of the case and the court in which judgment was entered authorizing issuance of this deed.

2. The undersigned grantor is the court-appointed selling officer in the above entitled mortgage foreclosure case, as appointed in the Judgment of Foreclosure, and issues this deed by the authority conferred in the Order Confirming Sale.

3. All notices required by 735 ILCS 5/15-1101 et seq. have been given.

4. All redemption and reinstatement periods have expired without redemption or reinstatement having been made.

5. Said real estate is subject to all general real estate taxes, special assessments, if any, and easements and restrictions of record.

APPROVED MAPPING & PLATTING
Director
SUBJECT TO ZONING REGULATIONS

1351

3

RETURN TO AGENDA

UNOFFICIAL COPY

6. The undersigned court-appointed selling officer, Volmert Law Office, LLC, **GRANTOR,** does hereby grant, transfer and convey to **BANK OF O'FALLON, GRANTEE,** the following-described real estate hereby releasing and waiving all rights under and arising by virtue of the Homestead Exemption laws of the State of Illinois:

Tract 1:
Lots 11 and 12 of "J. Nick Perrin's Subdivision of parts of Lots 1 and 2 of Section 34, Township 2 North, Range 8 West;" reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois in Book of Plats "L" on Page 23.

Excepting that part of Lot 11 lying within Enos Road.

Excepting further that part of Lot 11 conveyed to the County of St. Clair, a municipal corporation by Warranty Deed from Emil T. Kramer dated September 21, 1987 and recorded November 30, 1987 as Document #A918525 in Book 2695 on Page 601.

Excepting further that part of Lots 11 and 12 lying within Old Collinsville Road.

Excepting further that part of Lot 12 conveyed to the County of St. Clair, by Warranty Deed from Scotts G&L LLC dated October 24, 2023 and recorded October 31, 2023 as Document #A02796366.

Excepting further that part of Lot 11 conveyed to the County of St. Clair, by Warranty Deed from Scotts G&L LLC dated October 24, 2023 and recorded October 31, 2023 as Document #A02796368.

Excepting coal, oil, gas and other minerals excepted or reserved in prior conveyances, if any.

Tract 2:
Lots 13 and 14 of "J. Nick Perrin's Additional Subdivision of parts of Lots 1 and 2 of Section 34, Township 2 North, Range 8 West", reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois, in Book of Plats "O" on Page 35.

Excepting coil, oil, gas and other minerals excepted or reserved in prior conveyances, if any.

Both tracts situated in the County of St. Clair and the State of Illinois.

Parcel numbers:
03-34-0-209-001
03-34-0-209-002
03-34-0-209-003
03-34-0-209-004

RETURN TO AGENDA

UNOFFICIAL COPY

Common addresses:
5514 Perrin Road, Fairview Heights, Illinois, and
5515 Old Collinsville Road, Fairview Heights, Illinois

This transfer is exempt under Section 45(l) of the Real Estate Transfer Tax Law, 35 ILCS 200/31-45(l).

Dated this 21st day of November, 2024.

VOLMERT LAW OFFICE, LLC,
Court-appointed selling officer

By: Deborah J. Volmert
Deborah J. Volmert, Member

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

On this 21st day of November, 2024, before me, the undersigned, a Notary Public in and for said state personally appeared Deborah J. Volmert, a member of Volmert Law Office, LLC, known to me to be a member of the limited liability company that executed the foregoing instrument, and acknowledged the foregoing instrument to be the free and voluntary act and deed of the company, by authority of its operating agreement or by resolution of its members, for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute the foregoing instrument and in fact executed the foregoing instrument on behalf of the company.

IN TESTIMONY WHEREOF, I set my hand and affixed my official seal in the City or County and State aforesaid, on the day and year above written.

Jodi L. Artinger
Notary Public

OFFICIAL SEAL
JODI L ARTINGER
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 3/29/26

MAIL TAX STATEMENTS TO:
Bank of O'Fallon
901 South Lincoln Avenue
P.O. Box 1626
O'Fallon, Illinois 62269

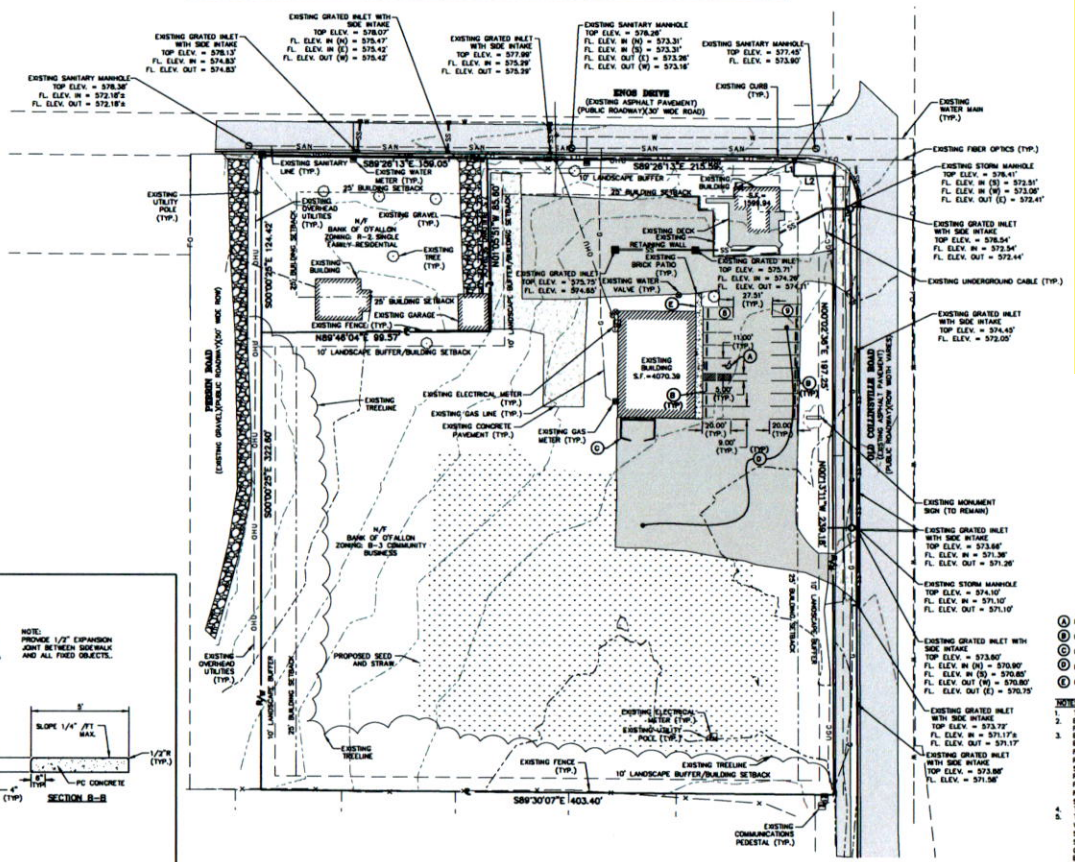
Grantee Information required by 735 ILCS 5/15-1509.5:
Bank of O'Fallon, 901 South Lincoln Avenue, P.O. Box 1626, O'Fallon, Illinois 62269
618-632-3595

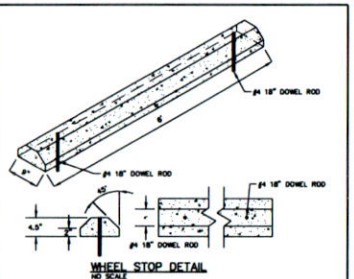
PRELIMINARY SITE PLAN

RETURN TO AGENDA

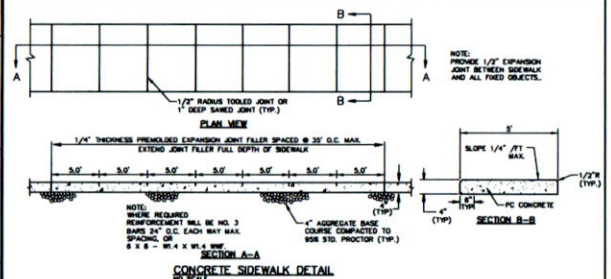


VICINITY MAP
NO SCALE

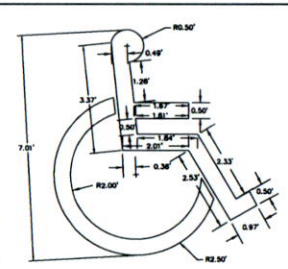




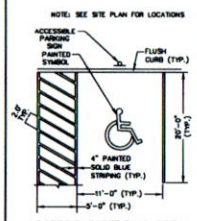
WHEEL STOP DETAIL
NO SCALE



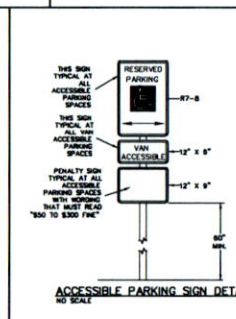
CONCRETE SIDEWALK DETAIL
NO SCALE



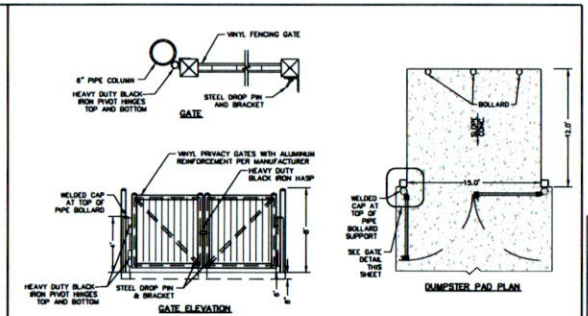
ACCESSIBLE PARKING SPACE SYMBOL DETAIL
NO SCALE



ACCESSIBLE STRIPING DETAIL
NO SCALE



ACCESSIBLE PARKING SIGN DETAIL
NO SCALE



DUMPSTER ENCLOSURE & GATE DETAIL
NO SCALE

OWNER:	DEVELOPER:
BANK OF O'FALLON 901 S LINCOLN AVE O'FALLON, IL 62269	FENCE AND DECK DEPOT 1432 SOUTH DR. ST. CHARLES, MO 63303

SCALE: 1"=40'
SEPTEMBER 2026

DRAWING LEGEND

RIGHT-OF-WAY
PROPERTY LINE
EXISTING MAJOR CONTOUR
EXISTING MINOR CONTOUR
EXISTING EASEMENT
NEW SETBACK LINE
EXISTING FENCE
EXISTING OVERHEAD UTILITIES
EXISTING WATER LINE
EXISTING STORM SEWER
EXISTING GAS LINE
EXISTING SANITARY LINE
EXISTING FIBEROPTIC CABLE
EXISTING UNDERGROUND ELECTRIC
EXISTING UNDERGROUND TELEPHONE
EXISTING UNDERGROUND CABLE
EXISTING SANITARY MANHOLE
EXISTING CABLE PEDESTAL
EXISTING TELEPHONE PEDESTAL
EXISTING GAS METER
EXISTING GRATED INLET WITH SIDE INTAKE
EXISTING GRATED INLET
EXISTING STORM MANHOLE
EXISTING ELECTRIC METER
EXISTING WATER VALVE
EXISTING WATER METER
EXISTING UTILITY POLE
EXISTING TREE
EXISTING TREELINE
EXISTING BUILDING
EXISTING ASPHALT PAVEMENT
EXISTING CONCRETE PAVEMENT
EXISTING GRAVEL
NEW SEED AND STRAW
NEW ACCESSIBLE PARKING SYMBOL

SITE LEGEND

(A) NEW ACCESSIBLE PARKING STALL WITH SIGNAGE AND STRIPING. SEE DETAIL, THIS SHEET.
(B) NEW WHEEL STOPS. SEE DETAIL, THIS SHEET.
(C) NEW TRASH ENCLOSURE. SEE DETAIL, THIS SHEET.
(D) RESEALED ASPHALT.
(E) NEW CONCRETE SIDEWALK. SEE DETAIL, THIS SHEET.

NOTES:
1. TOTAL SITE ACREAGE: ±178,668 SQ. FT. OR ±4.13 ACRES
2. EXISTING ZONING: B-3 COMMUNITY BUSINESS AND R-2 SINGLE FAMILY RESIDENCE
PROPOSED ZONING: B-3 COMMUNITY BUSINESS AND R-2 SINGLE FAMILY RESIDENCE
3. BUILDING SETBACKS
B-3 COMMUNITY BUSINESS
FRONT – 25'
REAR – 20'
SIDE – 10'
R-2 SINGLE FAMILY RESIDENCE
FRONT – 25'
REAR – 25'
SIDE – 8'
4. THE SITE LAND USE SHALL BE OFFICE AND WAREHOUSE.
5. THIS SITE IS SERVED BY:
WATER – CITY OF O'FALLON
STORM SEWER – CITY OF O'FALLON/CITY OF FAIRVIEW HEIGHTS
SANITARY SEWER – CITY OF O'FALLON/CASEYVILLE TWSP
COMMUNICATIONS – AT&T/CHARTER/63 BROADBAND
ELECTRIC – AMEREN
GAS – AMEREN
FIRE – FAIRVIEW–CASEYVILLE TOWNSHIP FIRE PROTECTION DISTRICT
6. THIS SITE FALLS WITHIN UNSHADED "ZONE X", AREAS TO BE DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOOD PLAIN, PER FIRM, FLOOD INSURANCE RATE MAP, FOR CITY OF FAIRVIEW HEIGHTS, ILLINOIS, MAP NUMBER 17163C0035D, EFFECTIVE DATE OF NOVEMBER 5, 2003. FLOOD ZONES ARE DETERMINED BY SCALING.
7. EFFORTS WILL BE MADE TO DIRECT DRAINAGE TO EXISTING DISCHARGE POINTS.
8. ALL UTILITIES ARE TO BE LOCATED UNDERGROUND.
9. THE SITE SHALL CONFORM TO THE CITY OF FAIRVIEW HEIGHTS STANDARDS.
10. NO INVESTIGATION HAS BEEN PERFORMED BY COCHRAN REGARDING HAZARDOUS WASTE, UNDERGROUND CONDITIONS OR UTILITIES AFFECTING THE TRACT SHOWN HEREON.
11. THIS DRAWING DOES NOT CONSTITUTE A BOUNDARY SURVEY.
12. ALL PAVEMENT STRIPING SHALL BE 4" WIDE PAINTED WHITE LINES AND THE ADA STRIPING SHALL BE BLUE.
13. LOCATION, REPLACEMENT, AND CONNECTION OF THE UTILITIES SHALL BE COORDINATED WITH THE UTILITY COMPANIES.
14. ALL MECHANICAL, HVAC, AND UTILITY EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW ACCORDING TO CITY REQUIREMENTS.
15. STORMWATER SHALL BE DIRECTED TO EXISTING DISCHARGE POINTS.
16. ALL DISTURBED AREAS INTENDED FOR GRASS SHALL BE SEEDED AND STRAWED.
17. UNDERGROUND STRUCTURES, FACILITIES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, DEEDS AND RECORDS. THEREFORE, THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS NOT KNOWN.

PARKING REQUIREMENTS:
BUSINESS OFFICES: 3 PER 1,000 SQ. FT OF GFA
1,598.94/1,000= 1.59 × 3= 4.79
WAREHOUSE & STORAGE FACILITIES: 1 SPACE PER 1,000 SQ. FT
4,070.38/1,000= 4.07
EMPLOYEE PARKING: 1 SPACE FOR EACH ONE AND ONE-HALF EMPLOYEES.
NUMBER OF EMPLOYEES: 10
10/1.5= 6.66

TOTAL SPACES REQUIRED:	= 17 SPACES
TOTAL SPACES PROVIDED:	= 17 SPACES
ADA TOTAL SPACES REQUIRED:	= 1 SPACES
ADA TOTAL SPACES PROVIDED:	= 1 SPACES

NOTE:
ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED. ALL RADIUS CALLOUTS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.

MINIMUM PARKING DIMENSIONS:
REGULAR PARKING – 9'x18'
ADA PARKING – 11'x20'
ADA VAN PARKING – 11'x20'
ADA ACCESSIBLE STRIPING – 5'x20'
PARKING DRIVE AISLES (TWO–WAY) – 24'-0" MIN.
PARKING DRIVE AISLES (ONE–WAY) – 14'-0" MIN.

JULIE Your Illinois One-Call System Celebrating 45 Years!

Rock Office
1 Cochran Street
Bartonville, Missouri 61607
636-337-4536 (tel.)
www.cochranengineering.com
• Civil Engineering
• Surveying
• Architecture
• Site Development
• General Consulting
• Leased Planning
COCHRAN
Illinois State Certificate of Authority Numbers: 184.005554–0002

The seal appearing on this document was authorized by Eric S. Kirchner, PE on the date adjacent to the seal. Electronic and digital versions of this document are not certified unless otherwise noted.

At COCHRAN, we're a registered professional engineering (PE), land surveying (PLS), landscape architecture (LA), and planning (AICP) firm.

ERIC S. KIRCHNER
E-2001004618

PRELIMINARY SITE PLAN
5515 OLD COLLINSVILLE RD
FAIRVIEW HEIGHTS, IL

DRAWN BY:	KNS
CHECKED BY:	ESK
DATE:	SEP 2026
SCALE:	1:40
PROJECT NO.:	M26–9619
SHEET NO.:	1 OF 2

PRELIMINARY SITE PLAN

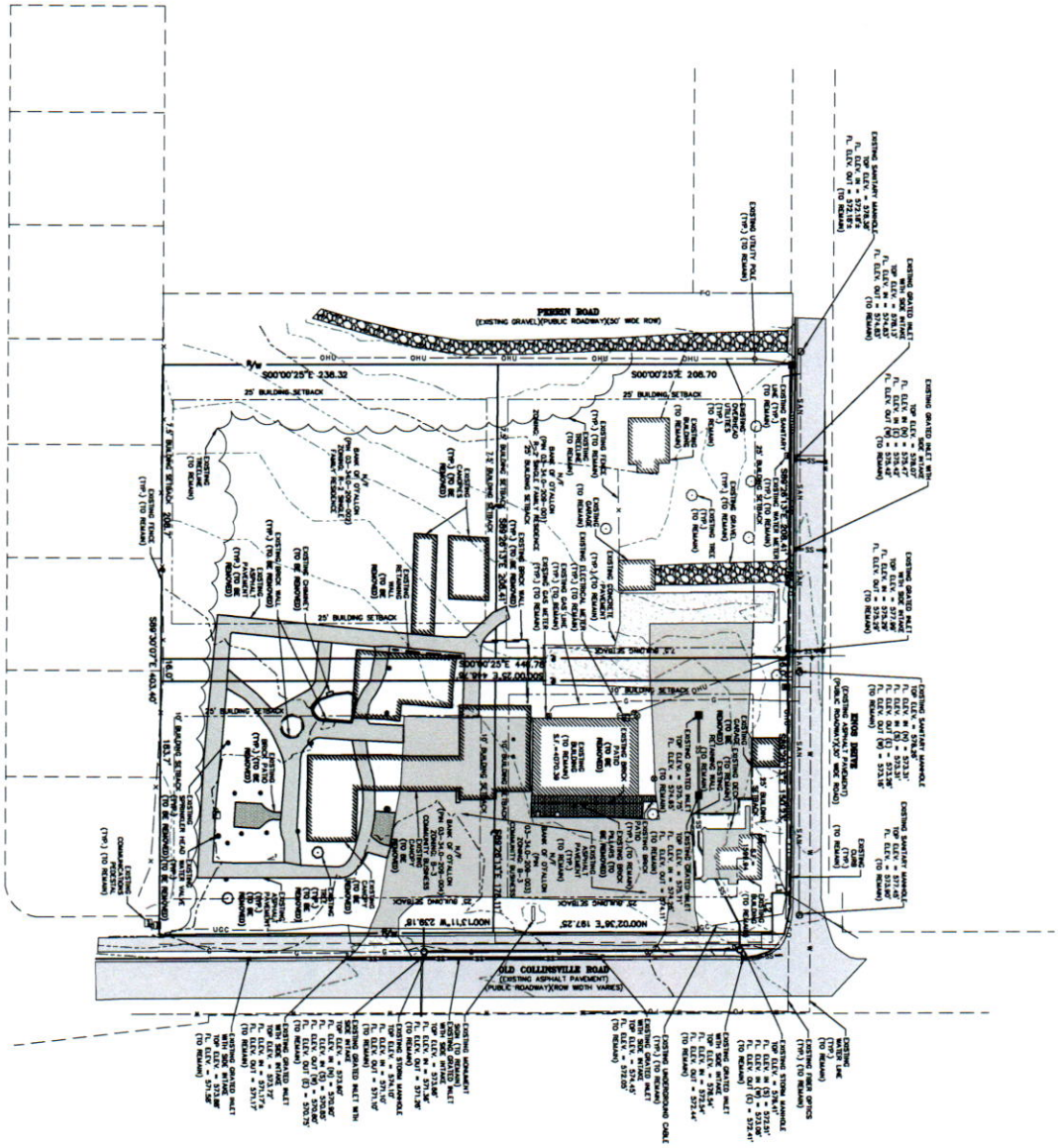
DWG NAME: J:\2026\M26–9619 – 5515 Old Collinsville Rd, Fairview Heights IL\ENGINEERING\AUTOCAD DRAWINGS\02_ Preliminary\M26_9619_1_SITE_PLAN.dwg LAYOUT TAB: 1 OF 2 PRELIMINARY SITE PLAN PLOTTED ON: Sep 08, 2026 – 9:48am PLOTTED BY: kwilmes

RETURN TO AGENDA

OWNER
BANK OF O'FALLON
901 S LINCOLN AVE
O'FALLON, IL 62269

DEVELOPER
FENCE AND DECK DEPOT
1412 BOOTH DR.
ST. CHARLES, MO 63303

EXISTING CONDITIONS



SCALE: 1"=20'
SEPTEMBER 2026

EXISTING CONDITIONS
2 OF 2

DATE	REVISION	JOHN JEE	APPD. BY

DESIGNED: KNS
DRAWN: ESK
CHECKED:
DATE: SEP. 2026
SCALE: 1:40
PROJECT NO: M26-9619

PRELIMINARY SITE PLAN
5515 OLD COLLINSVILLE RD
FAIRVIEW HEIGHTS, IL

PIN: 02-34.0-306-003

Two working days prior to the start of any excavation in this site, contractor shall call 1-800-DIG-RITE for utility location information.

All OSHA rules & regulations established for the type of construction required by these plans shall be strictly followed (ie. Trenching, Blasting, etc.)

North Office
8 East Main Street
Hartsville, Missouri 63335
636-332-4574 (tel.)
636-327-0760 (fax)
northern@cochraneng.com

COCHRAN
• Civil Engineering
• Land Surveying
• Architecture
• Site Development
• General Consulting
• Master Planning

JULIE Your Illinois One-Call System Celebrating 45 Years!

RETURN TO AGENDA

DEPARTMENT OF LAND USE AND DEVELOPMENT

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, October 13, at 7:00 p.m. This meeting will be held both in person at the Fairview Heights City Hall, 10025 Bunkum Road, 62208, and virtually. Parties interested in attending the meeting virtually should contact Dallas Alley, Director of Land Use and Development, at (618) 489-2061 or alley@cofh.org for instructions and visit the City's website for an agenda and meeting materials at www.cofh.org.

At this meeting, the Commission will consider a Special Use Permit in the "B3" – Community Business zoning district for zoning amendment, also identified by St. Clair County PIN(s) 03-34.0-209-001, 03-34.0-209-002, 03-34.0-209-003, 03-34.0-209-004.

Request was made by Sean Nesbit

All persons desiring to be heard on this proposal may attend either in person or virtually.

Dated this September 28.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Dallas Alley, Director of Land Use & Development

PC 10-26

RETURN TO AGENDA

PROPOSED RESOLUTION NO. 74-'26

A RESOLUTION APPROVING THE FINAL SUBDIVISION PLAT FOR A TRACT OF LAND, LOCATED WITHIN LOTS 11, 12, 13, AND 14 OF THE J. NICK PERRIN'S SUBDIVISION OF PARTS OF LOTS 1 AND 2 OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 8 WEST OF THE 3RD PRINCIPAL MERIDIAN, IN THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS.

WHEREAS, the Fairview Heights Planning Commission reviewed the Final Minor Subdivision Plat for Proposed Subdivision on October 13, 2026 and

WHEREAS, the Fairview Heights Community Committee reviewed the Final Minor Subdivision Plat for the Proposed Subdivision on October 21, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

That the Final Subdivision Plat for the Subdivision of a Tract of Land, located within Lots 11, 12, 13, and 14 of the J. Nick Perrin's Subdivision of parts of Lots 1 and 2 of Section 34, Township 2 North, Range 8 West of the 3rd Principal meridian, in the City of Fairview Heights, St. Clair County, Illinois is hereby approved. A copy of the plat is attached hereto, made a part hereof and marked "EXHIBIT A."

This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

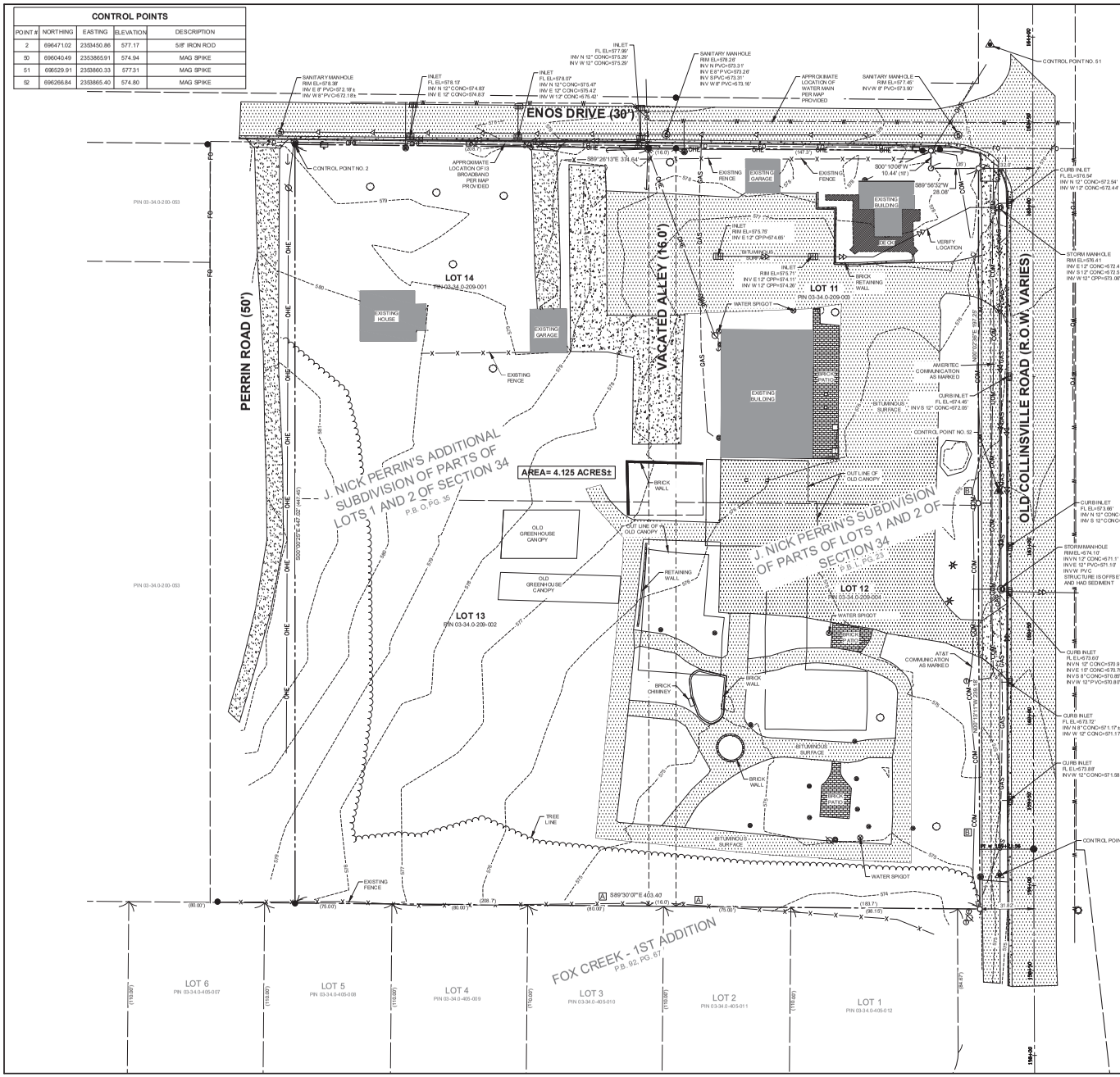
PASSED:

APPROVED:

_____
MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

_____
KAREN KAUFHOLD - CITY CLERK



CONTROL POINTS

POINT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
2	69647.02	2383450.86	577.17	5/8" IRON ROD
50	69604.49	2383865.91	574.94	MAG SPIKE
51	69529.91	2383860.33	577.31	MAG SPIKE
52	69626.84	2383865.40	574.80	MAG SPIKE

GENERAL NOTES:

BEARINGS ARE BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 83 2011 ADJUSTMENT, WEST ZONE 1202.

TRACT SURVEYED IS PART OF PINS 03-34-0-209-001, 03-34-0-209-002, 03-34-0-209-003, & 03-34-0-209-004

AREA SURVEYED = 4.125 ACRES±

SPRINKLER HEADS SHOWN WERE THOSE THAT WERE VISIBLE AT THE TIME OF THE SURVEY. NOT ALL IRRIGATION SYSTEM COMPONENTS MAY BE SHOWN.

IT IS NOT INTENDED THAT THIS PLAT CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT OF WAY, BUILDING SETBACK LINES AND OTHER ENCUMBRANCES. FOR COMPLETE INFORMATION, A TITLE OPINION OR COMMITMENT FOR TITLE INSURANCE SHOULD BE OBTAINED.

NO PART OF THIS SURVEY IS LOCATED IN A FLOOD HAZARD ZONE AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND SHOWN ON FEDERAL INSURANCE RATE MAP COMMUNITY PANEL NO. 17143C0205D, BEARING AN EFFECTIVE DATE OF NOVEMBER 5, 2003.

LEGAL DESCRIPTION OF 4.125 ACRE TRACT

(DOCUMENT NO. A03832501)

TRACT 1:
LOTS 11 AND 12 OF "J. NICK PERRIN'S SUBDIVISION OF PARTS OF LOTS 1 AND 2 OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 8 WEST," REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDERS OFFICE OF ST. CLAIR COUNTY, ILLINOIS IN BOOK OF PLATS "L" ON PAGE 23.

EXCEPTING THAT PART OF LOT 11 LYING WITHIN ENOS ROAD.

EXCEPTING FURTHER THAT PART OF LOT 11 CONVEYED TO THE COUNTY OF ST. CLAIR, A MUNICIPAL CORPORATION BY WARRANTY DEED FROM EMIL T. KRAMER DATED SEPTEMBER 21, 1987 AND RECORDED NOVEMBER 30, 1987 AS DOCUMENT #A018525 IN BOOK 2885 ON PAGE 601.

EXCEPTING FURTHER THAT PART OF LOTS 11 AND 12 LYING WITHIN OLD COLLINSVILLE ROAD.

EXCEPTING FURTHER THAT PART OF LOT 12 CONVEYED TO THE COUNTY OF ST. CLAIR, BY WARRANTY DEED FROM SCOTT'S G&L LLC DATED OCTOBER 24, 2023 AND RECORDED_ OCTOBER 31, 2023 AS DOCUMENT #A02796366.

EXCEPTING FURTHER THAT PART OF LOT 11 CONVEYED TO THE COUNTY OF ST. CLAIR, BY WARRANTY DEED FROM SCOTT'S G&L LLC DATED OCTOBER 24, 2023 AND RECORDED OCTOBER 31, 2023 AS DOCUMENT #A02796368.

EXCEPTING COAL, OIL, GAS AND OTHER MINERALS EXCEPTED OR RESERVED IN PRIOR CONVEYANCES, IF ANY.

TRACT 2:
LOTS 13 AND 14 OF "J. NICK PERRIN'S ADDITIONAL SUBDIVISION OF PARTS OF LOTS 1 AND 2 OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 8 WEST", REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED IN THE RECORDERS OFFICE OF ST. CLAIR COUNTY, ILLINOIS, IN BOOK OF PLATS "O" ON PAGE 35.

POTENTIAL ENCROACHMENT STATEMENT

A FENCE APPEARS TO ENCROACH ON PIN 03-34-0-209-002 & PIN 03-34-0-209-004, AS SHOWN.

B AT&T COMMUNICATION LINE APPEARS TO ENCROACH ON PIN 03-34-0-209-003 & PIN 03-34-0-209-004

LEGEND

- BOUNDARY OF SURVEY
- EXISTING PROPERTY LINE
- EXISTING LOT LINE
- EXISTING RIGHT-OF-WAY LINE
- R.O.W. EXISTING RIGHT-OF-WAY
- CPP CORRUGATED PLASTIC PIPE
- IRON MONUMENT FOUND
- 3/4" IRON PIPE SET
- (50.00') PLAT OR DEED DIMENSION
- 700 CONTOUR LINE
- EXISTING FENCE LINE
- OHE OVERHEAD ELECTRIC LINE
- COM GAS UNDERGROUND GAS LINE
- FO UNDERGROUND FIBER OPTIC LINE
- W UNDERGROUND WATER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND SANITARY SEWER LINE
- UTILITY POLE
- GUY ANCHOR
- ELECTRICAL TRANSFORMER
- ELECTRIC METER
- COMMUNICATION SPLICE BOX
- GAS VALVE
- GAS METER
- WATER METER
- FIRE HYDRANT
- WATER VALVE
- SANITARY SEWER MANHOLE
- STORM SEWER INLET
- STORM SEWER MANHOLE
- SPRINKLER HEAD/ MISC. IRRIGATION
- SIGN
- MAIL BOX
- CONIFEROUS TREE
- DECIDUOUS TREE
- GRAVEL SURFACE
- CONCRETE SURFACE
- BITUMINOUS SURFACE

30' 0 30' 60'
SCALE: 1" = 30'

JULIE DESIGN TICKET NO. A261881028, JULY 7, 2026					
OWNER	TYPE	RESPONSE DATE	PLOTTED ON SURVEY	MARKED IN FIELD	DESCRIPTION
AMEREN ILLINOIS	ELECTRIC/GAS	07/08/2026	YES	NO/YES	GAS LINE MARKED IN FIELD
ATT/DISTRIBUTION	UNDERGROUND COMMUNICATIONS	07/08/2026	YES	YES	WEST SIDE OLD COLLINSVILLE RD
IS BROADBAND	COMMUNICATIONS	07/21/2026	YES	NO	PLOTTED APPROX. LOCATION
CHARTER COMM. (SPECTRUM)	COMMUNICATIONS	07/21/2026	NO	NO	ALL CLEAR
CASEYVILLE TWSP	SANITARY SEWER	07/07/2026	YES	YES	MARKED IN FIELD
FAIRVIEW HEIGHTS	STORM SEWER	07/07/2026	YES	YES	MARKED IN FIELD
O'FALLON, CITY OF	STORM/SANITARY/WATER	07/20/2026	YES	NO	PLOTTED APPROX. LOCATION

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS) SS
COUNTY OF PEORIA)

WE, THE AUSTIN ENGINEERING CO., INC., CIVIL ENGINEERS AND LAND SURVEYORS, DO HEREBY CERTIFY THAT WE HAVE SURVEYED LOTS 11 AND 12 OF J. NICK PERRIN'S SUBDIVISION AND LOTS 13 AND 14 OF J. NICK PERRINS ADDITIONAL SUBDIVISION, OF PARTS OF LOTS 1 AND 2 OF SECTIONS 34, TOWNSHIP TWO (2) NORTH, RANGE EIGHT (8) WEST OF THE THIRD PRINCIPAL MERIDIAN, ST CLAIR COUNTY, ILLINOIS AND THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AS DRAWN TO A SCALE OF ONE (1) INCH EQUALS THIRTY (30) FEET.

WE FURTHER CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED AT PEORIA, ILLINOIS THIS 11TH DAY OF AUGUST, 2026.

AUSTIN ENGINEERING CO., INC.

BY: _____
MICHAEL P. COCHRAN
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3879
AUSTIN ENGINEERING COMPANY, INC. (309) 691-0224
311 SW WATER ST., STE. 215 PEORIA, IL 61602
moodyrax@aecl.design

LICENSE EXPIRES NOVEMBER 30, 2026

AUSTIN ENGINEERING CO., INC.
CONSULTING ENGINEERS / SURVEYORS
311 SW WATER ST., SUITE 215
PEORIA, ILLINOIS 61602
LICENSE NO. 184-001143

RETURN TO AGENDA

BOUNDARY & TOPOGRAPHIC SURVEY

LOTS 11 AND 12 OF J. NICK PERRIN'S SUBDIVISION AND LOTS 13 AND 14 OF J. NICK PERRINS ADDITIONAL SUBDIVISION, OF PARTS OF LOTS 1 AND 2 OF SECTIONS 34, TOWNSHIP TWO (

5515 OLD C
5514

BOUNDARY & TOPOGRAPHIC SURVEY

PROJECT NO	42-26-156
DATE	08/11/2026
CHECKED	JJB
SURVEYED	WSK
FIELD BOOK	
PAGE	
DRAWN	BWH
APPROVED	MPC
SHEET	1 OF 1

RETURN TO AGENDA

PROPOSED RESOLUTION NO. 75-'26

A RESOLUTION APPROVING A SPECIAL USE PERMIT AT 311 SALEM PLACE WITHIN THE "B-4" RETAIL BUSINESS DISTRICT TO ALLOW AN AUTOMOBILE SERVICE STATION WITH CONVENIENCE STORE.

WHEREAS, the Planning Commission on October 13, 2026 held the necessary Public Hearing and reviewed the special use application and has transmitted its Advisory Report recommending approval of the application to the City Council.

WHEREAS, the Community Committee of City Council on October 21, 2026 reviewed the special use application and the Planning Commission Advisory Report and recommended forwarding same to the full City Council for consideration recommending approval of the application.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. APPROVAL. The special use permit for 311 Salem Place within the "B-4" Retail Business District to allow an automobile service station with convenience store is hereby approved.

SECTION 2. CONDITIONS. The conditions of this Special Use Permit are contained in the Findings of Fact adopted by Planning Commission Resolution PC 12-26 and attached hereto, made a part hereof and marked "EXHIBIT A."

SECTION 3. SUPPORTING DOCUMENTS. A copy of the Planning Commission's Advisory Report is attached hereto, made a part hereof and marked "EXHIBIT B." A copy of the application documents are attached hereto made a part hereof and marked "EXHIBIT C."

SECTION 4. PASSAGE. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED:

APPROVED:

_____
MARK T. KUPSKY - MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

_____
KAREN J. KAUFHOLD - CITY CLERK

RETURN TO AGENDA

Planning Commissioner Smith introduced the following resolution and moved for its adoption:

RESOLUTION PC 12-26

A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF A SPECIAL USE PERMIT FOR A SAV-ON PHILLIPS 66 FUEL STATION/ CONVENIENCE STORE AND CHAMPS CHICKEN, LOCATED AT 311 SALEM PL

WHERE AS, Nitesh Patel, hereinafter referred to as the "Applicant," applied for a Special Use Permit for a SAV-ON Phillips 66 Fuel Station/Convenience Store and Champs Chicken at parcel number 03-22.0-300-024, 03-22.0-300-025; commonly known as 311 Salem Pl; and

WHEREAS, the Fairview Heights Development Code requires that automobile service station with a convenience store in the B-4 Retail Business be approved as a special use;

WHEREAS, the Applicant has properly applied for a Special Use permit.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the Findings of Fact relating to the request are as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on October 13, 2026, and that said public hearing was properly advertised, both of which are incorporated by reference.

2. That the subject property is zoned B-4 Retail Business.

3. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.

4. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.

5. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.

6. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

RETURN TO AGENDA

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Hutchison.

Upon vote being taken thereon, the following voted in favor thereof: Herrington, Fowler, Wesemann, Hoppe, Smith, Baldwin, Hutchison

And the following voted against the same:

And the following abstained:

And the following was absent: Janice Petroff, Bill Hopkins, Sunyatta McDermott

Whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission, this the October 13, 2026.

Pat Herrington

Planning Commission Chairman (Pro Tempore)

ATTEST:

Dallas Alley

Land Use Director

RETURN TO AGENDA

DEPARTMENT OF LAND USE AND ECONOMIC DEVELOPMENT

TRANSMITTAL TO PLANNING COMMISSION

APPLICATION NUMBER: PC 12-26

REQUEST: Special Use Permit for a automotive service station with convenience store as a planned development located at 311 Salem Place, Fairview Heights. Also identified by St. Clair County PIN(s) 03-22.0-300-024, 03-22.0-300-025. *VOTE REQUESTED.*

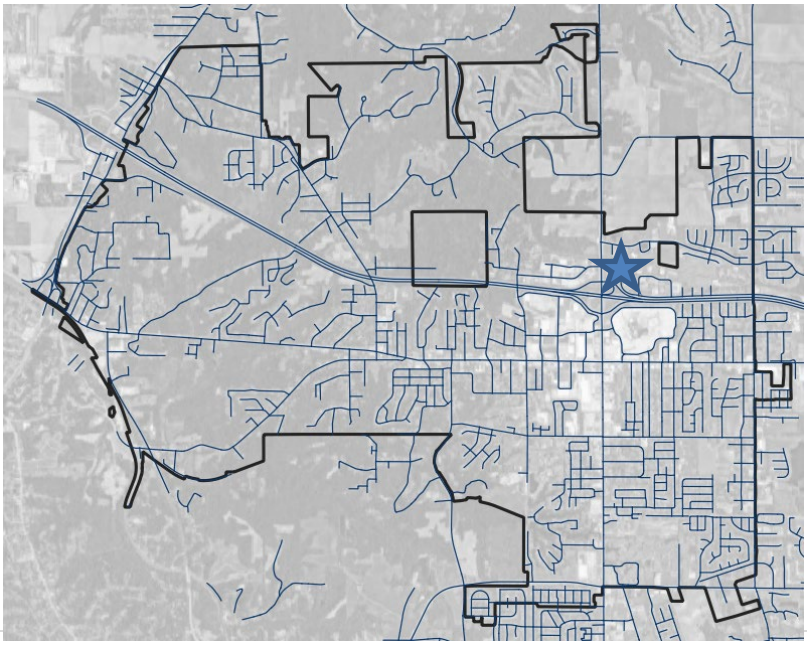
APPLICANT NAME: Alka and Nick Patel – Sav-ON Phillips 66

MEETING DATE: October 13, 2026

ZONING: B4 – Retail Business

PLANNING COMMISION ACTION: Consideration of the Special Use Permit, make recommendation to the Community Committee and City Council which has final authority to approve or deny the request.

GENERAL LOCATION:



RETURN TO AGENDA

STAFF ADVISORY

1. BACKGROUND

The City of Fairview Heights Development Code divides the City into districts and establishes a set of land uses that are either "permitted" or "special". Permitted uses are compatible land uses authorized as a matter of right. Special uses are those that may cause potential conflict depending on the scope of the operation. A special use may be allowed after a review by Plan Commission and City Council, in accordance with Development Code section 14-10-8. Each special use is evaluated on its own merits.

The applicant is seeking approval for the operation of a automotive service station and convenience store as a planned development.

The subject property is located at 311 Salem Place, and is zoned B-4 – Retail Business. This zoning district is intended for a variety of commercial uses such as retail, office, and restaurant uses. The automotive service station with convenience store establishment use is permitted as a special use; which requires a Special Use Permit.

2. DISCUSSION

Context

The subject site is located in the northern portion of the city, north of Interstate 64, and east of Illinois Route 159. It is comprised of two parcels.

The zoning designation for these parcels is B-4 Retail Business. This zoning district is intended to provide for a variety of commercial uses such as retail, office, and restaurant uses. Special uses must be approved by the Planning Commission as established in Development Code Section 14-04-02, Permitted and Special Uses in Commercial Districts.



RETURN TO AGENDA

Zoning: Site and Surrounding Areas

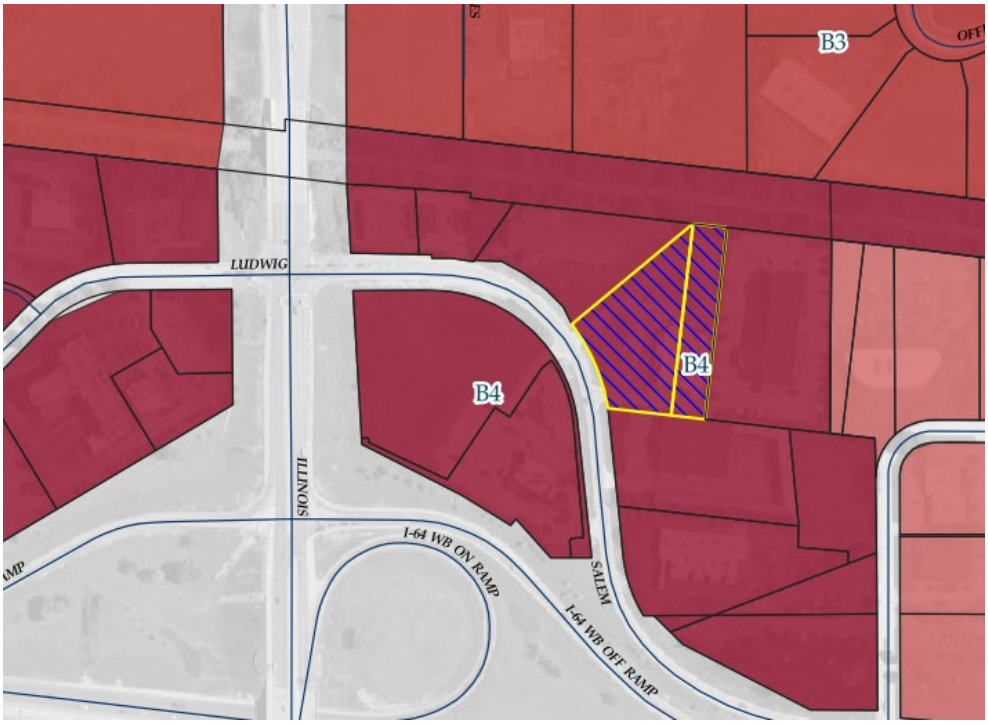
The zoning and land uses of adjoining and surrounding properties are as follows:

North: B4 – Retail Business;

South: B4 – Retail Business;

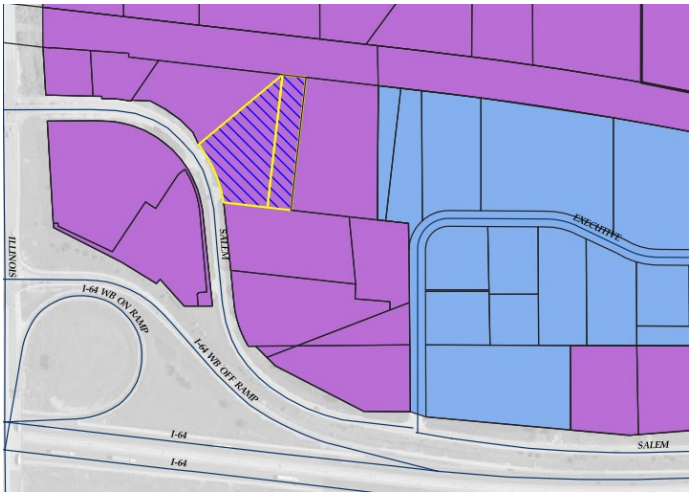
West: B4 – Retail Business;

East: B4 – Retail Business.



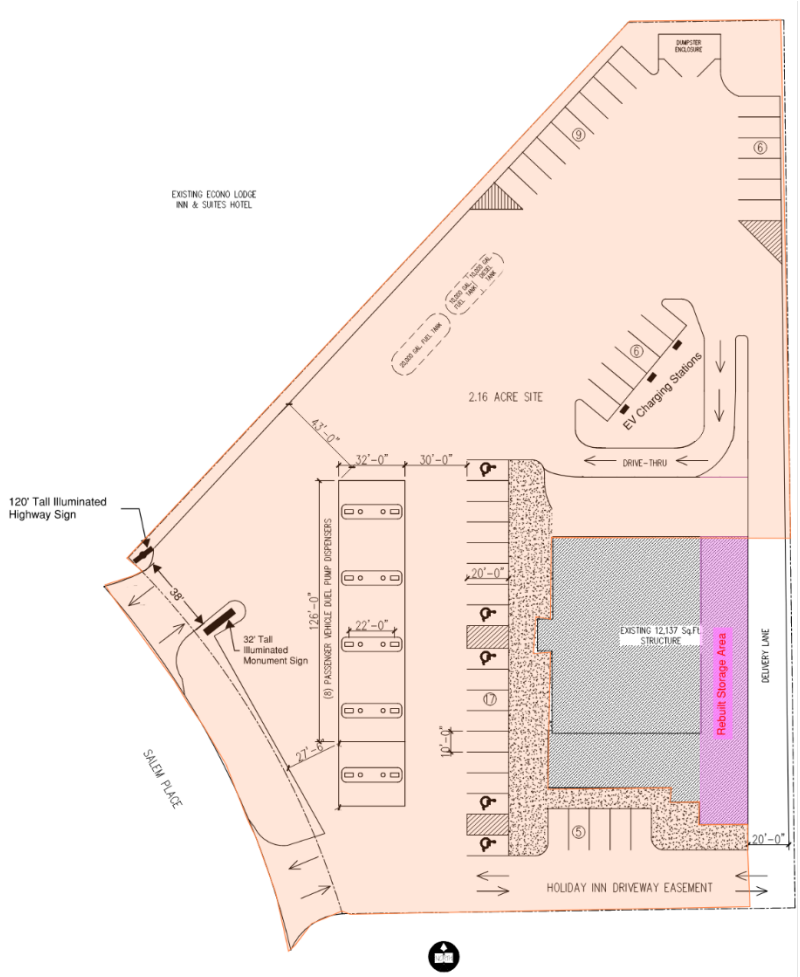
Future Land Use: Site and Surrounding Areas

The Fairview Heights Comprehensive Plan Future Land Use Map identifies the subject site as Regional Commerical. This designation includes areas intended to accommodate larger commercial shopping centers and developments that serve a more regional function, drawing on a customer base that extends beyond the City limits. The proposed use does conform with the Fairview Heights Comprehensive Plan Future Land Use Map.



RETURN TO AGENDA

Site Plan



I. **Analysis: Site Development**

The applicant is seeking approval for site modification and the operation of an automotive service station with convenience store. In its deliberations, Planning Commission shall review general planning considerations and may impose conditions to the approval of this structure. Following are the criteria outlined in Chapter 14 of the Fairview Heights Code of Ordinances (Development Code) and proposed conditions, where applicable:

(a) Permitted uses, including maximum floor area.
The use of an automotive service station with convenience store establishment is permitted in the B4 Retail Business District as a special use.

b) Performance standards. (Performance standards regulate the intensity of land use to prevent adverse impact on abutting and nearby properties.)
The premises shall be maintained in good condition, free from trash and debris.

Noise emanating from the use shall not be of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonably offensive noises due to intermittence, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

No obnoxious, toxic or corrosive matter, smoke, fumes or gases shall be discharged into the air or across the boundaries of any lot in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare or to cause injury or damage to property or business.

(c) Height limitations.
The building height meets the height requirements for B-4.

(d) Minimum yard requirements.
The proposed site plan meets minimum yard requirements

(e) Off-street parking and loading requirements
The proposed parking and loading configuration is satisfactory to the zoning administrator.

(f) Sign regulations
The size and number of signs are identified in the development plan and do exceed standard sign heights; however, the planning commission can approve signage higher than the maximum with reasonable justification. The applicant desires to have interstate visibility similar to other establishments within the corridor.

(g) Minimum requirements for site development plans.
Site development plans shall depict the proposed location of buildings, parking areas, traffic circulation, landscaping, utilities, and drainage. These requirements have been met.

(h)Time limitations for commencement of construction.
Within one (1) year of approval, construction shall commence. The applicant may apply for one (1) extension of time limitation from the City in writing explaining extenuating circumstances.

(i) Trust funds, impact fees, surcharges and connection fees.
The applicant will pay all applicable fees and meet all permitting requirements of any utility or other jurisdictional unit.

(j) Rights of way dedication and road improvements.
n/a

Exhibits

1. Applicant's Narrative and Excerpted Supporting Documents
2. Resolution and Findings of Fact
3. Public notice

RETURN TO AGENDA

FAIRVIEW HEIGHTS
Crossroads of Prosperity

DEPARTMENT OF LAND USE AND DEVELOPMENT
10025 Bunkum Road.Fairview Heights, IL 62208. (618) 489-2060

APPLICATION FOR SPECIAL USE PERMIT
GENERAL INFORMATION

The Development Code divides the City into zoning district and categorizes uses as either "permitted" or "special". *Permitted* uses are allowed as long as a property owner meets all requirements within the particular zoning category. *Special* uses are permitted upon with conditional requirements. With a special use, the property owner applies for the Special Use Permit (SUP), which is then reviewed by the City's Plan Commission, Community Committee, and City Council. If the permit is approved, there will be a list of conditions upon which the approval is granted. Those conditions become part of the permit and must be met in order for the "use" to be legal.

Applicants are encouraged to schedule a pre-application conference with the Director of Land Use and Development prior to submittal. The attached SUP application and supporting documentation must be completed in its entirety and submitted to the Department of Land Use and Development at least thirty-six (36) days prior to a Plan Commission meeting. Deficient applications may delay consideration of the request. The Plan Commission meets at 7:00 p.m. on the second Tuesday of every month, unless noted otherwise. These meetings are held in the City Council Chambers of Fairview Heights City Hall, 10025 Bunkum Road.

The applicant and/or his/her representation are required to appear at the scheduled public hearing. All persons testifying before the board will do so under oath, and must state their name and address for the record. The representative should be prepared to present his/her request to the Plan Commission and demonstrate how the proposal will be consistent with the general purpose and intent of the development code and City's Comprehensive Plan. Other parties interested in the application, who may speak for or against the request, will also be provided with an opportunity to speak at the public hearing.

The Plan Commission shall consider the following factors, and others as appropriate to the specific case, when evaluating a SUP:

(1) The effect the proposal would have on the City's comprehensive plan;
(2) The effect the development would have on schools, traffic, streets, shopping, public utilities and adjacent properties;
(3) Is the application necessary for the public convenience at that location?;
(4) In the case of an existing nonconforming use, will a special use permit make the use more compatible with its surroundings?;
(5) Is the application so designed, located and proposed to be operated that the public health, safety, and welfare will be protected?;
(6) Will the application cause injury to the value of other property in the neighborhood in which it is located?;
(7) Will special use be detrimental to the essential character of the district in which it is located?

This information is intended as a brief guide and should not be relied upon for a thorough understanding of the hearing procedure or zoning laws as applicable.

RETURN TO AGENDA

APPLICATION FOR SPECIAL USE PERMIT

_____DATE APPLICATION RECEIVED BY LUD

Department of Land Use and Development
10025 Bunkum Road
Fairview Heights, IL 62208
Phone (618) 489-2060

OFFICE USE ONLY	
DATE APPLICATION DEEMED COMPLETE:	CASE NUMBER ASSIGNED:
RESUBMITTALS RECEIVED/DATE:	APPLICATION FEES PAID (*$150 + $25 per acre above one acre, + $50 Publication fee*):
ZONING DISTRICT:	DATE PUBLIC NOTICE SIGN POSTED BY STAFF:
DATE SET FOR HEARING:	NEWSPAPER NAME AND PUBLICATION DATE:
APPLICATION CIRCULATION DATE_____: Comments Received: ☐ Public Works ☐ Fire District ☐ Parks and Recreation ☐ Economic Development ☐ Police Department ☐ Finance Department ☐ Administration Department ☐ Other	AUTHORITY MEETING DATE/RECOMMENDATION: ☐ Planning Commission_____/_____ ☐ Community Committee_____/_____ ☐ City Council_____/_____
	CITY COUNCIL RESOLUTION NUMBER: *(Maintain copy with LUD file)*

Applicants should submit two hard copies and one electronic version of the completed application and submittal requirements (attachments) to the Department of Land Use and Development at least thirty-six (36) days prior to the Plan Commission meeting. All application fees must be included in order for the application to be deemed complete.

The SUP procedures are found in Section 14-10-8 of the Development Code. Applicants should be aware that a public hearing will be conducted at Plan Commission. This hearing allows the applicant and any other person(s) with interest in the matter to provide comments for the official record. Public notification requirements include publishing a notice of hearing in a newspaper of general circulation at least 15 days prior to the hearing, placing a hearing sign on the property and notifying surrounding property owners (within 300 feet of the subject parcel) of the application. City staff will complete the public notification tasks. .

RETURN TO AGENDA

PROJECT INFORMATION FOR SPECIAL USE PERMIT

Project Name: SAV-ON Phillips 66 Fuel Station/Convenience Store & Champs Chicken
Project Address: 311 Salem Place, Fairview Heights, IL 62208
Parcel ID: 03-22.0-300-024 ; 03-22.0-300-025
Current Use of Property: Vacant Restaurant
Project Size/Acreage: 2.15 Acres
Number of Lots: 2
Density:

CONTACT INFORMATION FOR SPECIAL USE PERMIT

Property Owner(s): Dine Time Express Inc.
Mailing Address: 311 Salem Place, Fairview Heights, IL 62208
Phone:
E-Mail:

Applicant/agent: Alka & Nick Patel
Relationship to owner: Property Purchaser
Mailing Address: 904 Spyglass Hill Ct., Caseyville, IL 62232
Phone: (618) 558-6425
E-Mail: nickpatel6425@gmail.com

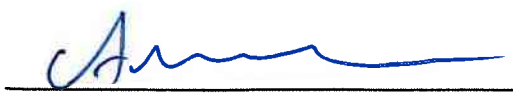
AUTHORIZATION

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and are consistent with the ordinances relating to this application. I also understand that as the applicant, it is my responsibility to obtain all additional approvals, permits or licenses required by any applicable regulatory agency for this project.

I consent that the entry upon the premises described in this application by an authorized official of Fairview Heights, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF THE OWNER OF RECORD OR AUTHORIZED APPLICANT/AGENT.

Signature of Owner: _____ Date: _____
Printed Name:

Signature of Applicant:  Date: 09/08/2026
Printed Name:

RETURN TO AGENDA

SUBMITTAL REQUIREMENTS FOR SPECIAL USE PERMIT

The minimum standards for land subdivision and development are contained in Section 14-9-8 of the City's Development Code. Please consult this section, as well as the relevant zoning district regulations, when preparing the application. http://www.cofh.org/DocumentCenter/View/298/COMPLETE-PDF-CODE

1. *Site plan- drawn to scale and includes the following information:
    a. Location and dimensions of lot (boundary) and *adjacent* properties and right of way; note zoning designation of surrounding properties
    b. Location and dimensions of existing and proposed buildings and structures
    c. Location and size of proposed off-street parking, loading areas, pedestrian facilities, curbcuts/driveways and vehicular traffic circulation, and relationship to adjacent circulation systems (all curb cuts within 150' of property and road intersections)
    d. Distances between buildings (front, side, and rear lot lines); principal building and accessory buildings; principal building and principal buildings on adjacent lots
    e. Location of public and/or private utilities and facilities proposed to serve the subject area; including water supply, sewage, and drainage facilities
    f. Location of light standards
    g. Size and design of signs
    h. Location and type of landscaping (of a sufficient detail to ensure parking lot landscaping and buffer requirements are met). Indicate existing and to be removed landscaping
    i. Small key map
    j. Any additional information as may be reasonably required by the Land Use and Development Department

    NOTE: ALL INFORMATION SHALL BE PROVIDED ON A SINGLE SHEET, UNLESS OTHERWISE AGREED BY THE DIRECTOR OF LAND USE AND DEVELOPMENT. RE-OCCUPANCIES MAY NOT REQUIRE ALL INFORMATION; PLEASE CONSULT WITH LUD.

2. Narrative- statement describing the proposed project, estimated development schedule, economic viability of the project, extent of grading, anticipated traffic, impact upon community, and other information considered relevant to the project.

3. Photographs- aerial and/or ground-level photographs of the site

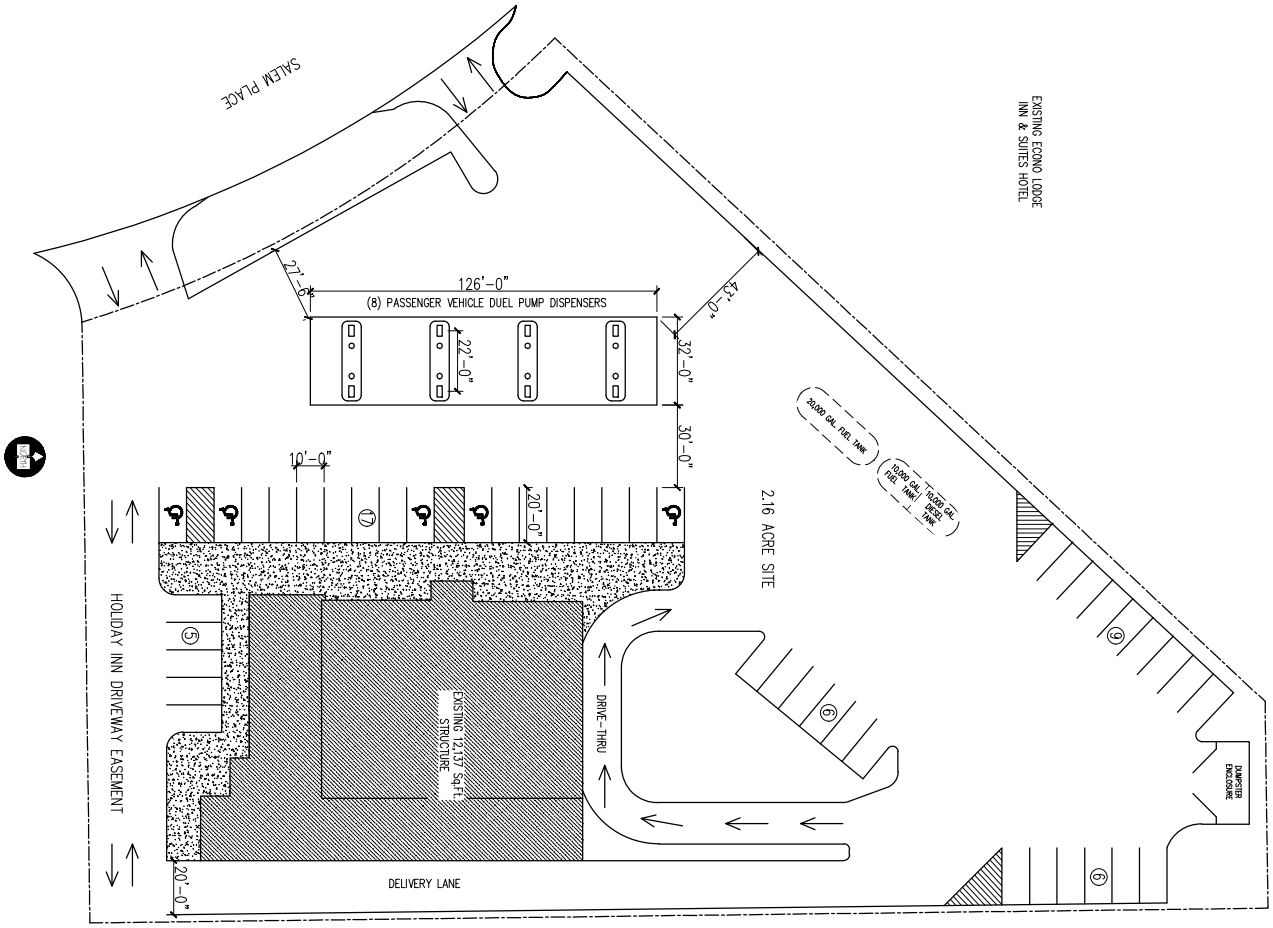
4. Buffered Parcel Report- listing of all property owners within 300 feet of the subject property. This information can be obtained through St. Clair County Mapping and Platting at 618-825-2527. Be sure to request that the list includes: name of owner, complete mailing address, *and parcel number*.

5. Building elevations or perspectives- to show compatibility with surrounding area and of sufficient detail to ensure building material requirements are met *(for new construction and significant rehabilitation only)*

6. Floor plan drawn to approximate scale and dimensioned *(for new construction, change of use and significant rehabilitation only)*

7. Legal description of the property

RETURN TO AGENDA



SITE PLAN
SCALE: 1/32" = 1'-0"

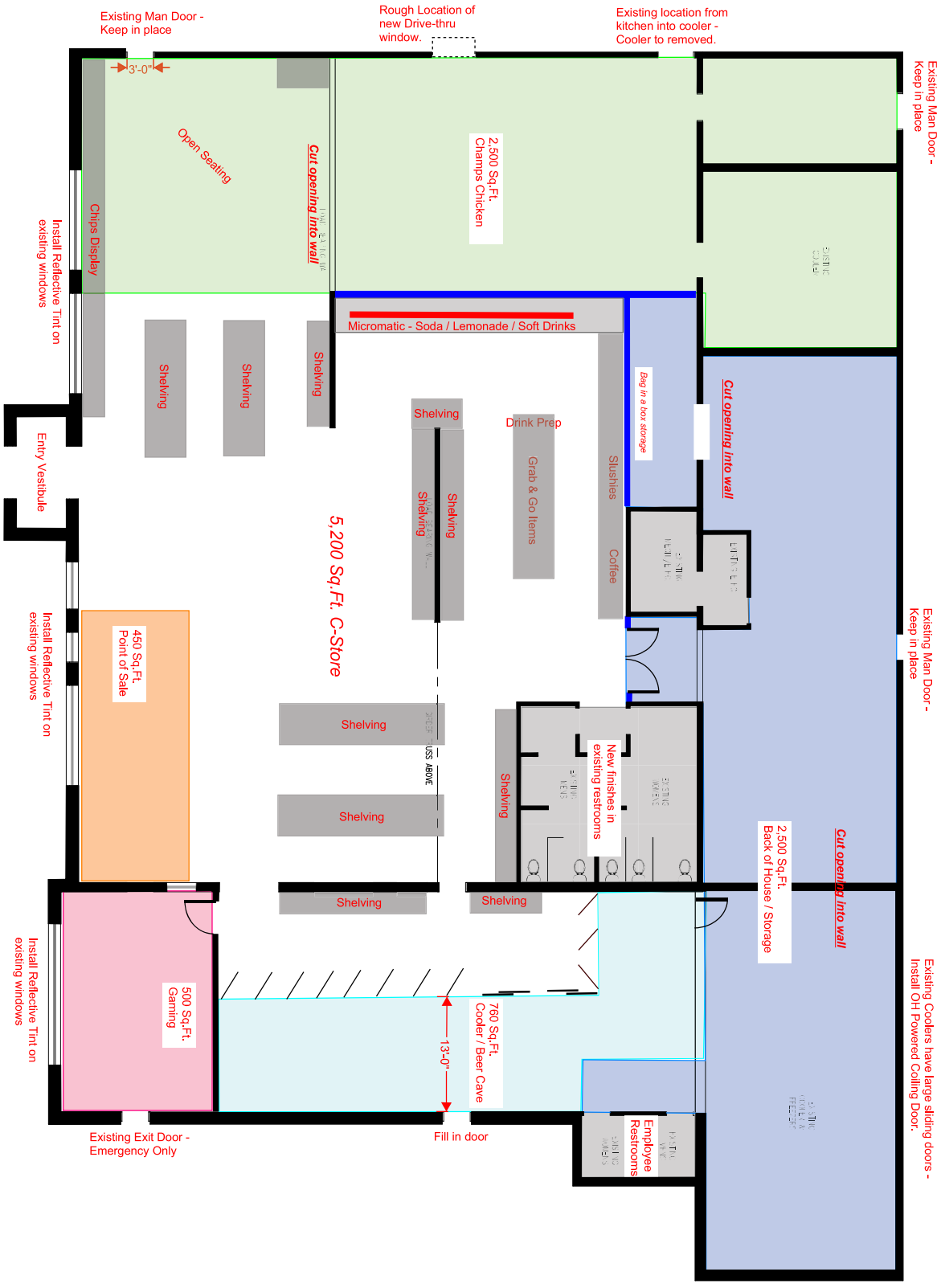
REVISIONS	
DATE	BY

PLAN DEVELOPED FOR:

PRIVATE DEVELOPER
311 SALEM PLACE
FAIRVIEW HEIGHTS, IL 62208

DRAWN BY: J.E.
REVIEWED BY:
DATE: 06/08/2026
SHEET 1 OF 1

RETURN TO AGENDA



FLOOR PLAN

SCALE: 1/8" = 1'-0"

SHEET	2 OF 2	
DRAWN BY:	J.E.	
REVIEWED BY:		
DATE:	06/08/2026	

REVISIONS

DATE	BY

PLAN DEVELOPED FOR:

PRIVATE DEVELOPER
311 SALEM PLACE
FAIRVIEW HEIGHTS, IL 62208

City of Fairview Heights
Planned Unit Development Narrative

PROJECT FOR:
Alka & Nick Patel



CONVENIENCE STORE / FUEL STATION / QUICK SERVE DINING RESTAURANT

311 Salem Place
FAIRVIEW HEIGHTS, IL 62208

City of Fairview Heights
Planned Unit Development Narrative

TABLE OF CONTENTS

Section A – Proposed Development	**Page 3**
Section B – Building Finish Materials	**Pages 4**
Section C – Development Schedule	**Page 5**
Section D – Economic Viability	**Page 6**
Section E – Extent of Sitework	**Page 7**
Section F – Anticipated Traffic	**Page 8**
Section G – Community Impact	**Page 9**
Section H – Owner Experience	**Page 10**

City of Fairview Heights
Planned Unit Development Narrative

Section A

PROJECT SCOPE

Location : 311 Salem Place, Fairview Heights, IL 62208

Lot Size : 2.15 Acres

Owner : Alka & Nick Patel

Current Zoning : B4 – Business

Proposed Usages :

- Quick Serve Dining Restaurant
- Convenience Store
- Fuel Station
- EV Charging
- Video Gaming Room

City of Fairview Heights
Planned Unit Development Narrative

Section B

BUILDING FINISH MATERIALS

Quick Serve Café / Convenience Store / Casual Dining Restaurant

Exterior :

- Stone
- Brick
- Nichiha Siding
- Sheet Metal
- Aluminum Storefront Framing & Glazing
- Concrete Paving

Interior :

- Tile Floors
- Wall Graphics
- Solid Surface Tops
- Full Height Glass Cooler Doors
- Painted Exposed Ceilings
- Acoustical Ceiling Systems
- Wood & Metal Doors

City of Fairview Heights
Planned Unit Development Narrative

Section C

DEVELOPMENT SCHEDULE

Design & Preconstruction Services: 09/14/2026 – 02/12/2027

Bidding & Permitting: 02/15/2027 – 03/12/2027

Construction: 03/15/2027 – 11/05/2027

City of Fairview Heights
Planned Unit Development Narrative

Section D

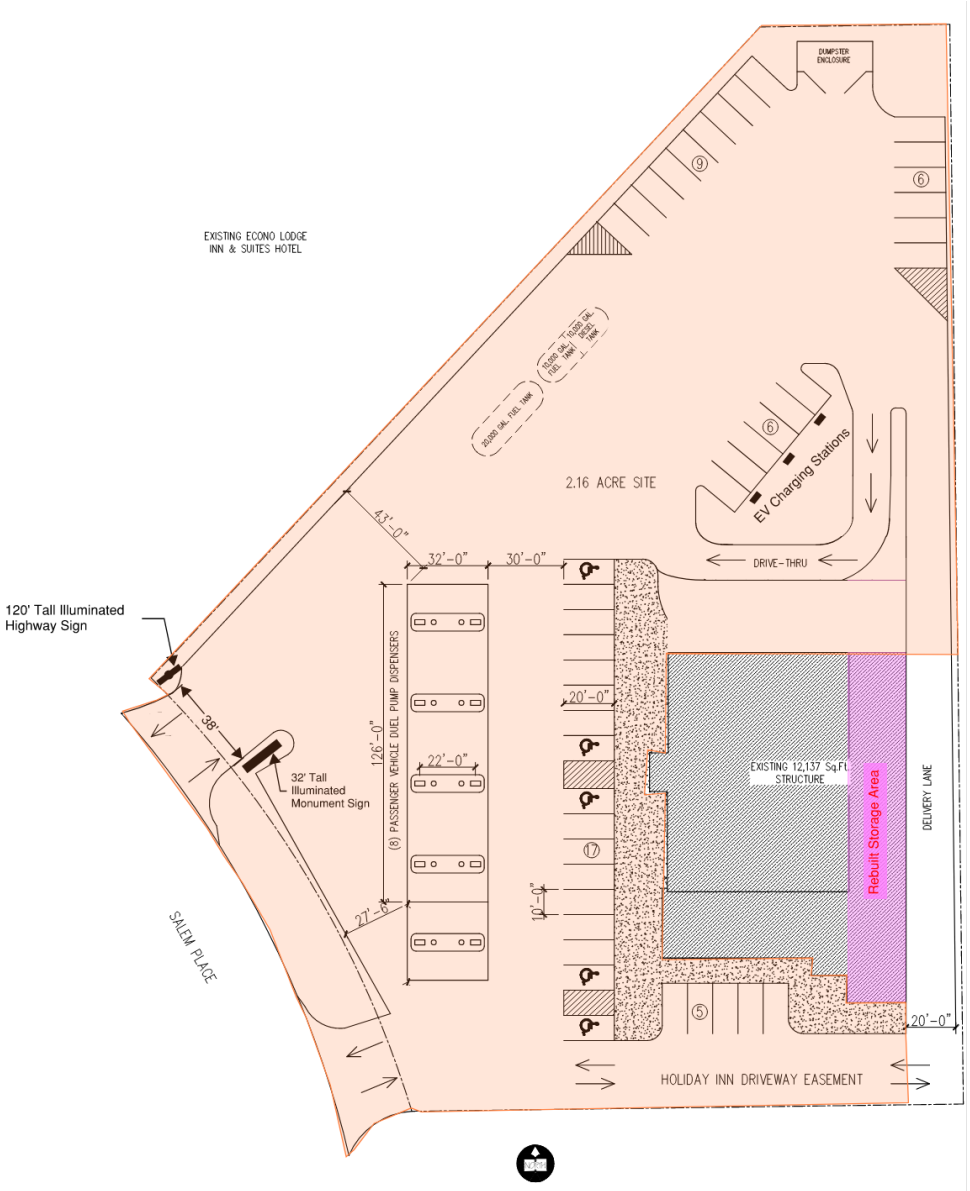
ECONOMIC VIABILITY

- Existing Traffic & Sales Data support the community amenities proposed by Alka & Nick Patel for this parcel.

City of Fairview Heights
Planned Unit Development Narrative

Section E

EXTENT OF GRADING



- Underground Fuel Storage Tanks
- New Concrete Sidewalk & Aprons
- New Concrete Pavement (no asphalt paving)
- New Level-3 Fast Charging EV Chargers

City of Fairview Heights
Planned Unit Development Narrative

Section F

ANTICIPATED TRAFFIC

- The traffic flow from this development will mainly consist of existing traffic in the 2.5-mile radius of the development. Alka & Nick Patel project 20-40% of customers may come from outside the target market via the interstate off-ramp for fuel and/or QSR food & beverages.

City of Fairview Heights
Planned Unit Development Narrative

Section G

COMMUNITY IMPACT

- **Employees/Jobs**
  - 15-20 new Full-Time jobs will be provided.
  - 12-16 Part-Time jobs will be provided.

- **Tax Revenue**
  - Sales Tax for General Funds.
  - Property Tax for Schools.

- **Level-3 EV Charging Amenity**
  - Alka & Nick Patel will offer Quick-Charge Level-3 EV stations at the development.

- **Neighborhood Amenity**
  - Local Residents will have the ability to frequent a community based mercantile & restaurant destination that is minutes from their residence, which is owned & operated by local residents.
  - Easier roadway access for morning commuters for their “Grab & Go” items, in lieu of congested areas right along IL-159 & IL-50.

City of Fairview Heights
Planned Unit Development Narrative

Section H

OWNER EXPERIENCE

Owner Experience in Fuel Stations, Quick Serve Restaurants, & Hotels

- 1999 to Present Day

Fuel Station / Convenience Stores

- Collinsville, IL – Belt Line : BP
- Collinsville, IL – St. Louis Rd. : Phillips 66
- Fairview Heights, IL – Bunkum Road : BP
- O'Fallon, IL – Hwy 50 : BP
- Belleville, IL – Carlyle Ave : BP
- Belleville, IL – Lebanon Ave : BP
- Caseyville, IL – IL 157 : *Opening on 9/21/26*

Car Washes

- Collinsville, IL – Belt Line : Sparkle Car Wash
- O'Fallon, IL – Hwy 50 : Sparkle Car Wash
- Fairview Heights – IL-159 : Sparkle Car Wash

Quick-Serve Locations

- Fairview Heights – IL-159 : Scooters Coffee
- Swansea – IL-159 : Scooters Coffee

Tobacco/Vape Shops

- Swansea, IL – IL 159 : VapeX Smoke Shop
- O'Fallon, IL – Hwy 50 : VapeX Smoke Shop

Liquor Stores

- Waterloo, IL : SAV-ON Liquor & Wine
- Twin Oaks, MO : SAV-ON Liquor & Wine
- Chesterfield, MO : SAV-ON Liquor & Wine
- Edwardsville, IL : SAV-ON Liquor & Wine

Hotels

- Caseyville, IL – IL-157 : Quality Inn Hotel
- Alton, IL – College Ave : Best Western Premier

RETURN TO AGENDA

DEPARTMENT OF LAND USE AND DEVELOPMENT

PUBLIC HEARING NOTICE

Notice is hereby given that a public hearing will be held before the Fairview Heights Planning Commission on Tuesday, October 13, at 7:00 p.m. This meeting will be held both in person at the Fairview Heights City Hall, 10025 Bunkum Road, 62208, and virtually. Parties interested in attending the meeting virtually should contact Dallas Alley, Director of Land Use and Development, at (618) 489-2061 or alley@cofh.org for instructions and visit the City's website for an agenda and meeting materials at www.cofh.org.

At this meeting, the Commission will consider a Special Use Permit in the "B4" – Retail Business zoning district for zoning amendment, also identified by St. Clair County PIN(s) .

Request was made by Alka and Nick Patel

All persons desiring to be heard on this proposal may attend either in person or virtually.

Dated this September 28.

FAIRVIEW HEIGHTS PLANNING COMMISSION

BY: Dallas Alley, Director of Land Use & Development

PC 12-26

RETURN TO AGENDA

PROPOSED RESOLUTION 76-‘26

A RESOLUTION CONSIDERING THE ESTABLISHMENT OF A STAR BOND DISTRICT WITHIN THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, ILLINOIS

WHEREAS, the State of Illinois (the “State”) has enacted the Statewide Innovation Development and Economy Act (the “Act”) to promote, stimulate, and develop the general and economic welfare of the State and its communities and to assist in the development and redevelopment of major tourism, entertainment, retail, and related projects within eligible areas of the State, thereby creating new jobs, stimulating significant capital investment, and promoting the general welfare of the citizens of the State;

WHEREAS, the Act authorizes municipalities and counties to establish sales tax and revenue (“STAR”) bond districts and issue STAR bonds to finance STAR bond projects;

WHEREAS, the City of Fairview Heights, St. Clair County, Illinois (the “City”) is a municipality of the State, duly created, organized and existing under and by virtue of the Constitution and laws of the State;

WHEREAS, the Mayor and City Council of the City (the “City Council”) desires to establish a STAR bond district within the City in furtherance of the purposes of the Act;

WHEREAS, under Article 5 of the Act, a STAR bond district must be located in a contiguous area with at least 10,000 residents within a 5-mile radius, be located no more than 15 miles from a State highway or federal interstate highway, and have at least 50% of its area located within an underserved area when the STAR bond district plan is submitted;

WHEREAS, the City must demonstrate a reasonable expectation of (a) producing a capital investment of at least $30,000,000, (b) generating at least $60,000,000 in projected annual gross sales, and (c) creating at least 300 new full-time jobs;

WHEREAS, on May 26, 2026, the Mayor provided notice to the Director of the Illinois Department of Commerce and Economic Opportunity and the Director of Illinois Department of Revenue of the City’s intention to establish a STAR bond district; and

WHEREAS, the City Council believes it is in the best interest of the State and the City to consider the establishment of a STAR bond district in the City.

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

Section 1. Public Hearing. A public hearing shall be held to consider the establishment of a STAR bond district on December 1, 2026 at 6:30 p.m. at the Fairview Heights Public Library. Notice of the public hearing shall be given as required by the Act.

RETURN TO AGENDA

Section 2. Proposed Boundaries of STAR Bond District. The proposed STAR Bond District consists generally of property located in and around the existing commercial area centered upon Illinois Route 159, Lincoln Trail, St. Clair Square, Market Place, and Crossroads Centre.

Section 3. Description of STAR Bond District Plan. The STAR bond district plan to be approved by the City will generally identify the proposed STAR bond project areas within the STAR bond district and describe the intended types of users and uses of such areas, including retail, hotel, and entertainment operators, including sports and event-oriented users, all as further described in **Exhibit B** hereto.

Section 4. Inspection of Documents. The map attached as **Exhibit A** hereto and the description of the proposed STAR bond district set forth in **Exhibit B** hereto shall be available for inspection at City Hall during normal business hours.

Section 5. Master Developer. The City intends to appoint Developer DCM Group of Illinois, as the master developer of the STAR bond district.

Section 6. Consideration of Findings. The City Council shall consider the findings necessary for the establishment of a STAR bond district under Section 5-20(c) of the Act, including the district's compliance with the applicable location, population, contiguity, proximity, and underserved-area requirements.

Section 7. Further Authority. The Mayor and Director of Land Use and Economic Development and other officers and representatives of the City are authorized and directed to take such other action as may be necessary to carry out the intent of this Resolution.

Section 8. Effective Date. This Resolution shall be in full force and effect from and after its passage by the City Council.

PASSED by the Mayor and the City Council of the City of Fairview Heights, St. Clair County, Illinois, this 4th day of November, 2026.

(SEAL)

Mark Kupsky, Mayor

City of Fairview Heights

ATTEST:

Karen Kaufhold, City Clerk

RETURN TO AGENDA

PASSED:

APPROVED:

_____

MARK T. KUPSKY - MAYOR

CITY OF FAIRVIEW HEIGHTS

ATTEST:

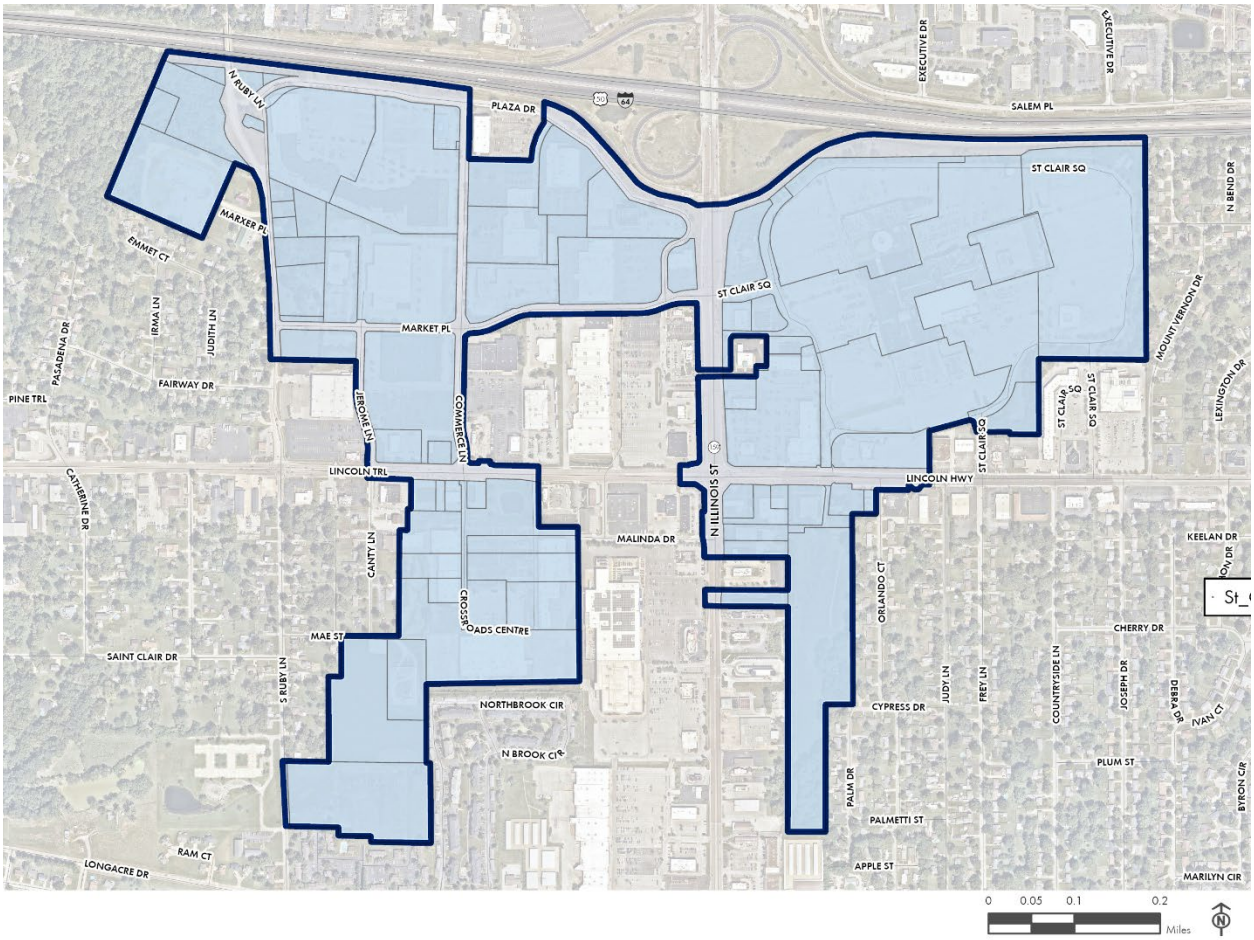
_____

KAREN KAUFHOLD - CITY CLERK

RETURN TO AGENDA

EXHIBIT A

MAP OF THE PROPOSED STAR BOND DISTRICT



RETURN TO AGENDA

EXHIBIT B

DESCRIPTION OF STAR BOND DISTRICT PLAN

DESCRIPTION OF STAR BOND DISTRICT PLAN

The proposed STAR Bond District consists generally of property located in and around the existing commercial area centered upon Illinois Route 159, Lincoln Trail, St. Clair Square, Market Place, and Crossroads Centre, as depicted on the map attached hereto as Exhibit A and incorporated herein by reference. The proposed District encompasses existing and proposed commercial, recreational, entertainment, hospitality, residential, open-space, and related development areas and is intended to provide a cohesive area for development and redevelopment consistent with the purposes of Article 5 of the Statewide Innovation Development and Economy Act, 50 ILCS 475/5-1 et seq.

The proposed STAR Bond District Plan contemplates the coordinated development and redevelopment of a mixed-use destination containing tourism, entertainment, recreation, retail, dining, hospitality, office, residential, educational, and related uses, together with public amenities, infrastructure, stormwater facilities, green space, and open space. The concept plan presently identifies potential destination and entertainment uses including an indoor and outdoor golf driving range, indoor baseball facility expansion, an indoor/outdoor entertainment venue potentially incorporating such uses as a concert hall, go-kart facility, climbing facility, and arcade, an outdoor amphitheater, and City-owned soccer and football facilities. The plan also contemplates supporting hospitality and commercial uses, including a five-story hotel, mixed-use retail and dining areas, mixed-use office and retail development, retail centers of varying sizes, fast-casual restaurants, a gas station and convenience store, and mixed-use retail and residential development. These uses and their conceptual locations are depicted on Exhibit A.

The proposed District Plan further contemplates complementary community, educational, and public-realm improvements designed to integrate the individual development areas into a cohesive district. Such potential improvements include a technical training facility; an outdoor classroom; an east-west pedestrian connection and gateway entrance signage; City-owned pocket park facilities; open space and green space; a natural-functions park; regional and site-specific stormwater detention and management facilities; wetlands; and demonstration rain gardens. The arrangement shown on Exhibit A is conceptual and illustrates the general location and relationship among the proposed uses, development areas, and public improvements within the proposed District.

The proposed District is intended to facilitate development and redevelopment of major tourism, entertainment, retail, and related uses of the type contemplated by Article 5 of the Statewide Innovation Development and Economy Act. Article 5 declares that the Act is intended to promote, stimulate, and develop the general and economic welfare of Illinois and its communities and to assist development and redevelopment of major tourism, entertainment, retail, and related projects within eligible areas, including through job creation and significant capital investment. Article 5 further recognizes that projects

RETURN TO AGENDA

undertaken pursuant to the Act are intended to be of sufficient size and scope and developed in a cohesive and comprehensive manner.

Accordingly, the corporate authorities are considering establishment of the proposed STAR Bond District encompassing the area generally shown on Exhibit A and the implementation of the proposed STAR Bond District Plan described herein. Pursuant to 50 ILCS 475/5-20(b), the corporate authorities shall conduct a public hearing to consider establishment of the proposed STAR Bond District, the proposed general boundaries of the District, the STAR Bond District Plan, and the findings necessary for establishment of the District under Article 5.