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VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
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VILLAGE ADMINISTRATOR
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Eugene Kramer

ZONING ADMINISTRATOR
Matt Trout

VILLAGE ATTORNEY
Weilmuenster & Keck, P.C.

July 27, 2018

NOTICE

MEETING OF THE COMBINED PLANNING AND ZONING BOARD

The Combined Planning and Zoning Board meeting has been scheduled for
Tuesday, July 31, 2018, at 6:00 p.m.

- I. Items to be Reviewed
 - PLAN COMMISSION:**
 - A. Old Business
 - 1. Approval of June 12, 2018 and July 10, 2018 Minutes
 - 2. Meadow Pines Subdivision Engineering Plans
 - B. New Business:
 - C. General Concerns:
 - D. Public Participation
 - E. Adjourn

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William S. Mack, P.C.

Combined Planning and Zoning Board Tuesday, June 12, 2018 at 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:00 p.m. on Tuesday, June 12, 2018, in the Municipal Center by Acting Chairperson Kevin Groth. Members present were Chairperson Steve Woodward (absent), Dirk Downen, Rita Green, Kevin Groth, Gary Henning, Gary Mack (6:03 p.m.), Lee Smith, Zoning Administrator Matt Trout, Public Works Director John Tolan, Village Administrator Tony Funderburg and Office Manager Julie Polson (absent). Guests present: Tim Pruett from Rhutasel, Alex Klemme, Trustee Mike Blaies, Trustee Mike Heap and Trustee Denise Albers.

Plan Commission:

A. Old Business:

1. Approval of May 8, 2018 Minutes: Gary Mack motioned to approve the May 8, 2018 minutes and Lee Smith seconded the motion. All voting aye, the motion carried.

B. New Business:

1. Request for Extension for Approval of Meadow Pines Subdivision Engineering Plans: Zoning Administrator Matt Trout summarized the process so far. The engineering plans were submitted on May 2nd, and we had 45 days to provide a recommendation to the board on them. TWM reviewed them and submitted the checklist that was emailed out to everyone. We then met with Rhutasel on May 30th and they have since submitted their response to TWM's concerns. Our attorney has recommended that the recommendation for these plans be continued to another date after the required documents have been received and reviewed by TWM before they come back to this committee for final review. Public Works Director John Tolan believes we have come to a good agreement with what is going to be changed and added to the plan. The sidewalks need to be discussed, and Mr. Klemme prepared a summary of the reasons why he does not believe they should be required to install them. Matt also said their plans did not call for sidewalks, and Tim confirmed the plans were submitted without them.

Village Administrator Tony Funderburg advised he is concerned over the stormwater issue and John agreed. He said Tim is going to add in the calculations and make an adjustment to the detention ponds. They will be adding in additional pipes to handle the storms. Matt advised our attorney has recommended moving forward with the EPA permits since it is such a long process. Rita Green brought up the detention basins and confirmed with Tim Pruett that the basins' main function is to hold the water during a rain event but not hold them for a significant amount of time. According to the drawings, they are 6 – 8 feet lower than the surrounding lots and Rita asked who maintains them. Tim said the homeowner who buys the lot is responsible to maintain it. Rita asked if someone could fill those in, and Tony said that is not allowed per our code. Tim said his job as an engineer is to detain the water so that when the water drains to the detention pond, it will back up and hold it long enough and only release it at a rate similar to today. Matt confirmed with the two-stage piping, it will slow the water down.

Combined Planning/Zoning Board
Tuesday, June 12, 2018
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Matt said our code regarding sidewalks states they have to be on both sides for collector streets (Bristolcone). The local streets would only have to have it on one side. Lee Smith brought up the section of the code where a registered engineer has to certify 1,000 gallons per minute available at 20 psi, and Tim advised he can do that and it will be on the final plat.

*Gary Mack motioned to recommend to the Village Board to allow BK Property Development Corp., to apply for their Water and Sewer EPA Permits and Gary Henning seconded the motion. **ROLL CALL VOTE:** Gary Mack – yes; Gary Henning – yes; Dirk Downen – yes; Rita Green – yes; Lee Smith – yes; Kevin Groth – yes; Steve Woodward – absent. With six yes votes, the motion carries.*

Matt said with regard to the sidewalks, he would like to see a recommendation come out of this meeting of which direction you want to go since it is included in the engineering plans. Gary Henning wants them to follow the code. Both Lee and Rita agreed. Gary Mack was concerned about the upkeep of them. Mr. Klemme entered the meeting. Dirk questioned how long do the homeowners have after construction is complete to install the sidewalks. The village maintains the street once it is installed. Dirk asked a rough idea of what the phases will look like. Mr. Klemme advised they are planning four phases with approximately 25 lots in each phase. When they have completed 50% of one phase, they will move onto the next one. He also stated they may work on the infrastructure for more than one phase at a time. The first phase will be Foxtail Drive as it's the closest to Timberwolf. Tim Pruett advised that is where we will connect to the water main. The detention basin is on that side as well, and we will be building it first. Mr. Klemme confirmed the sidewalk will be in the right-of-way. He also said they don't have a strong preference either way but would rather not put them in because that cost will be passed onto the homeowner. Tony commented a walkable community is very important, and the more sidewalks we put them in, the more people use them. Per the code, Matt confirmed the collector streets have to have sidewalks on both sides, and sidewalks on one side on the other roads.

*Gary Mack motioned to recommend to the Village Board for BK Property Development Corp., to follow the Sidewalk Code per the Village of Freeburg Code of Ordinances and Rita Green seconded the motion. **ROLL CALL VOTE:** Gary Mack – yes; Lee Smith – yes; Dirk Downen – yes; Rita Green – yes; Gary Henning – yes; Kevin Groth – yes; Steve Woodward – absent. With six yes votes, the motion carries.*

Gary Henning motioned to continue the meeting regarding the engineering plans to Tuesday, June 26, 2018 at 6:00 p.m. and Dirk Downen seconded the motion. All voting yea, the motion carried.

2. Scott Mueller Development: Matt stated there is a rough drawing of the plans Scott would like to present to this board. He is going to apply for a variance to build two duplexes. In an MR-1 district, he can only have 30% lot coverage. On one parcel, he will have 31.5% lot coverage, and on the other one he will have 39.5% coverage because he is going to build a bigger garage on that lot. Matt advised he will have one facing High Street and the second one facing S. Richland St. He is working on getting the property lines squared back up. Both Lee and Gary commented they were in favor of the proposed development.

Board of Appeals:

A. Old Business:

1. Possible Change in Zoning Code Regarding Parking Spaces: Matt provided a copy of the parking space requirement in Mascoutah. They have one parking space per 200 feet of floor area which is obviously designed for limited use areas. This would require a hearing to change the code. Matt said the appraisal on the video gaming building showed about 1500 square feet which would be 8 parking spots, contingent on them getting rid of some of their seating. Matt reminded everyone that this would apply to anyone with that type of facility. There will also be a definition added to the code.
2. Donald Bode Amendment of Zoning District: Matt advised that was the gentlemen with the machine shop by Dambacher's. Tony confirmed that the homeowner has not made any further contact with him. It is currently zoned MR-1 and right now, the building is going in as an accessory use. Tony said if he is doing it for fun, that's one thing. If you want to run a business, that's another matter.

Kevin asked if the Yarber's ever applied for a business registration, and Tony advised they did.

B. New Business: None.

C. General Concerns: None.

D. Public Participation: None.

E. Adjourn: *Lee Smith motioned to adjourn the meeting at 7:17 p.m. and Gary Mack seconded the motion.* All voting yea, the motion carried.



Julie Polson
Office Manager

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William S. Walker, P.C.

Combined Planning and Zoning Board Tuesday, July 10, 2018 at 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:00 p.m. on Tuesday, July 10, 2018, in the Municipal Center by Chairperson Steve Woodward. Members present were Chairperson Steve Woodward, Dirk Downen, Rita Green, Kevin Groth, Gary Henning, Gary Mack, Lee Smith, Zoning Administrator Matt Trout, Village Administrator Tony Funderburg (absent) and Office Manager Julie Polson. Guests present: Trustee Denise Albers, Trustee Mike Blaies, Trustee Mike Heap, Trustee Lisa Meehling and Scott Mueller.

PLAN COMMISSION:

A. Old Business:

1. Approval of June 12, 2018 Minutes: Unavailable.
2. Meadow Pines Subdivision Engineering Plans: Zoning Administrator Matt Trout advised the revised engineering plans were submitted to him late Friday afternoon. He reviewed them with Tim Pruett and then took them to TWM. They advised Matt they noted four items and should have the final review to him by this Friday. Matt confirmed that he and John met with Alex Klemme and Gary Klemme today, and they are ready to move forward once we work through those issues. The committee set a meeting to discuss the engineering plans on July 31st at 6:00 p.m.

B. New Business:

1. Zoning Code Amendment Hearing Regarding Video Gaming Parlor and Revision of Parking Space Requirement: Chairperson Woodward read the notice and swore in those individuals wishing to speak. Steve advised we are trying to clean up our code, and he said we didn't have anything in our code that fell into this area. Matt advised we reviewed several other codes to see how the video gaming was handled. Matt further said the intent of the video gaming parlors is to have 5 people sitting there. He confirmed this would be for any building moving forward in that zoning district. Rita asked if we approve this and a gaming parlor goes in, do they have to come back with a plan for the parking lot and Matt said yes. Our code calls for 1 parking space for every 1.5 employees. The board would like café changed to parlor.

*Gary Mack motioned to approve the zoning code amendment adding the definition of a video gaming parlor, adding a video gaming parlor as a permitted use the B-2 Highway Business District and also to amend the number of parking spaces under Commercial, office service to 1 space per 2 seats or 1 space per 200 square feet of floor area, whichever is greater and Gary Henning seconded the motion. **ROLL CALL VOTE:** Gary Mack – yes; Gary Henning – yes; Dirk Downen – yes; Rita Green -yes; Kevin Groth – yes; Less Smith – yes; Steve Woodward – yes. With 7 yes votes, the motion carries.*

Gary Mack motioned to close the hearing at 6:34 p.m. and Gary Henning seconded the motion. All voting yea, the motion carried.

BOARD OF APPEALS:

A. Old Business: None.

B. New Business:

1. Scott and Angie Mueller Area Bulk Variance Request: Chairperson Woodward read the notice and swore in those individuals wishing to speak. Mr. Mueller is requesting a variance from 30% to 32% maximum lot coverage for the S. Richland Street address, and a variance from 30% to 40% maximum lot coverage for the 105 S. Richland property, and also a variance from the rear lot line on the S. Richland Street property from 25 feet to 24 feet. He has gone to the county and the lots have been equally divided into 100 x 100 lots. He is here tonight because his proposal exceeds the maximum percent coverage per lot for both parcels. Each lot is now 12,000 square feet. Each unit will have two bedrooms and a 2-car garage with 2 spots in the driveway for each unit. The front of the building is 100% masonry, and the rest of the exterior will have 1/3 brick around them. They will be similar to the units behind Green Mill. Rita said the garage location needs to be in the correct area when built.

*Lee Smith motioned to approve Scott Mueller's Area Bulk Variance Request and Gary Mack seconded the motion. **ROLL CALL VOTE:** Lee Smith – yes; Gary Mack – yes; Dirk Downen – yes; Rita Green -yes; Kevin Groth – yes; Gary Henning – yes; Steve Woodward – yes. With 7 yes votes, the motion carries.*

Gary Mack motioned to close the hearing at 6:10 p.m. and Rita Green seconded the motion. All voting yea, the motion carried.

C. General Concerns: Chairperson Woodward would like the Standards for Variance reviewed. If we interpret these as strictly as written, we wouldn't be able to grant a variance. Trustee Trout stated that we are working on a revision to the zoning code as we speak. If you have any suggestions, please give them to Tony or Matt.

D. Public Participation: None.

E. Adjourn: *Gary Mack motioned to adjourn the meeting at 6:39 p.m. and Lee Smith seconded the motion. All voting yea, the motion carried.*



Julie Polson
Office Manager