



AGENDA

Village Board of Trustees

Re-scheduled Regular Meeting

Monday, September 9, 2019 - 7:00 pm
Shiloh Municipal Building, 1 Park Drive

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS \ ANNOUNCEMENTS

Citizens Addressing the Board:

Each person addressing the Board is asked to give his or her name and address in an audible voice for the record and will limit their remarks to five minutes. In order that all subjects may be heard, large groups wishing an audience on the same subject should select two spokespersons to convey their remarks.

All remarks will be addressed to the Members, as a body, and not to any specific member. Any person making personal, disrespectful or slanderous remarks while addressing the Board may be requested to leave the meeting immediately.

Interested parties may also address the Board in writing regarding any matter concerning the Village's business by addressing it to the Village Clerk (1 Park Drive, Shiloh, IL 62269 or e-mailing shiloh@shilohil.org.) Copies will be distributed to the Members.

MINUTES – AUGUST 5, 2019

TREASURER'S REPORT – JULY 2019

MAYOR'S REPORT

1. AUTHORIZE THE MAYOR TO SIGN THE PROCLAMATION IN OBSERVANCE OF AMERICAN CONSTITUTION WEEK (SEPTEMBER 17-23RD)

COMMITTEE REPORTS:

ADMINISTRATION & PERSONNEL (WEILMUENSTER)

1. PASS ORDINANCE 2019-09-09 A: AN ORDINANCE AMENDING THE SHILOH MUNICIPAL CODE – SECTION 90.01 (K) (1) TO NOT ALLOW CONSTRUCTION NOISE BETWEEN THE HOURS OF 10:00 P.M. AND 7:00 A.M. IN RESIDENTIALLY ZONED DISTRICTS

FINANCE & BUDGET (WRZEK)

PLANNING & DEVELOPMENT (BURRELSMAN)

1. PASS ORDINANCE 2019-09-09 B: AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT-RESIDENTIAL (PHASES 2, 2A, 3 & 4) INCLUDING VARIANCES AND APPROVING DEVELOPMENT PLAN (HARTMAN LAKES)
2. ARCHITECTURAL REVIEW #2 – HARTMAN LAKES – PHASES 2, 2A, 3 & 4

PUBLIC PARKS & FACILITIES (WARCHOL)

1. AUTHORIZE AWARD OF THE LOW BID FOR REPLACEMENT FLOORING (SENIOR CENTER & KLUCKER HALL) & REFINISHING OF THE DANCE FLOOR (KLUCKER HALL) – NOT TO EXCEED \$30,200.00
2. AUTHORIZE AWARD OF THE LOW BID FOR TREE REMOVAL FOR TOMBSTONE PRESERVATION IN THE SHILOH CEMETERY – NOT TO EXCEED \$30,250.00

PUBLIC SAFETY (O'NEIL)

1. AUTHORIZE PURCHASE OF TWO 2020 SUV PATROL VEHICLES AND EQUIPMENT NOT TO EXCEED \$87,200.00
2. AUTHORIZE PURCHASE OF MOTOROLA COMMUNICATIONS EQUIPMENT THROUGH ST. CLAIR COUNTY EMA – NOT TO EXCEED \$18,000.00

STREETS & SANITARY SEWERS (HERRMANN)

1. AUTHORIZE AWARD OF THE LOW BID FOR THE 2019 HMA OVERLAY PROGRAM – NOT TO EXCEED \$700,000.00

OTHER BUSINESS

1. EXECUTIVE (CLOSED) SESSION
(65 ILCS – SECTION 2)
(MAY BE HELD TO DISCUSS PERSONNEL MATTERS (C) 1, COLLECTIVE BARGAINING (C) 2, PURCHASE OR LEASE OF REAL ESTATE (C) 5, SALE OR LEASE OF REAL ESTATE (C) 6, LITIGATION (C) 11, AND DISCUSSION OF CLOSED SESSION MINUTES (C) 21)
2. ACTION TAKEN ON EXECUTIVE SESSION ITEMS (IF ANY)

BILLS – SEPTEMBER 2019

ADJOURNMENT

AFTER RECORDING RETURN TO:

VILLAGE CLERK'S OFFICE
#1 PARK DRIVE
SHILOH, IL 62269

PREPARED BY:
VILLAGE OF SHILOH
#1 PARK DRIVE
SHILOH, IL 62269

Since reviewed in Committee – one additional revision for clarification made to Section 5, Paragraph 3 (page 3 – highlighted in red.) This was done because the language from the Phase 1 Ordinance permitting 9 multi-family buildings was included in this Ordinance for Phase 2-4. There are only 4 buildings proposed for Phases 2-4. For the sake of clarity, was revised so that the number for Phase 1 is listed separately from Phases 2-4 in this Ordinance.

This space is reserved for use by the Recorder of Deed's Office

ORDINANCE 2019-09-09 B

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT-RESIDENTIAL (PHASES 2, 2A, 3 & 4) INCLUDING VARIANCES AND APPROVING DEVELOPMENT PLAN

- Whereas,** Hartman Lakes is a is a Planned Unit Development-Residential for high-end apartments and attached villas (the "Development") consisting of a total of 55.26+/-acres in the Village of Shiloh as described on Exhibit 1 attached hereto (collectively, the "Property"); and
- Whereas,** following pre-application conferences with the Village, Greenmount Retail Center, LLC ("Applicant") submitted an application for rezoning requesting that the Board of Trustees of the Village approve the rezoning of the Property to (MR) Multi-family with a Special Use Permit for a Planned Unit Development- Residential in connection with the Development (the "Rezoning") (collectively, the "Rezoning Application"), which Rezoning Application complied with all applicable requirements of the Village Code of Ordinances; and
- Whereas,** the Village Board, at its Committee at Large meeting on March 28, 2016, considered said Application, resident comments and the recommendation of the Planning Commission Meeting made after Public Hearing, and (a) determined that the Rezoning of the Property for this Development was in the best interest of the Village and (b) approved the Rezoning Application, with the applicant to provide a Planned Unit Development submittal in the future pursuant to Ordinance 2016-04-04.A; and
- Whereas,** Applicant subsequently submitted an application requesting that the Board of Trustees of the Village approve the Planned Unit Development- Residential including a master development plan for the Development and a preliminary development plan with variances in connection with the Phase 1 of the Development consisting of 17.96+/- acres of the Property (the "Phase 1 PUD") (collectively, the "Phase 1 PUD Application"), which Phase 1 PUD Application complied with all applicable requirements of the Village Code of Ordinances; and
- Whereas,** the Village Board, at its Committee at Large meeting on December 4, 2017, considered said Phase 1 PUD Application, resident comments and the recommendation of the Planning Commission Meeting made after Public Hearing, and (a) determined that the Phase 1 PUD for this Development was in the best interest of the Village and (b) approved the Phase 1 PUD Application with certain variances and subject to certain conditions, pursuant to Ordinance 2017-12-04.A; and

Whereas, on June 12, 2019, Applicant submitted an application requesting that the Board of Trustees of the Village approve the Special Use Permit for Planned Unit Development- Residential with an updated master development plan for the Development and a preliminary development plan including variances in connection with the Phases 2, 2A, 3 and 4 of the Development consisting of a 37.3+/- acre portion of the Property described in Exhibit 2 hereto (the "Phases 2-4 PUD") (collectively, the "Phases 2-4 PUD Application"), which Phases 2-4 PUD Application complied with all applicable requirements of the Village Code of Ordinances; and

Whereas, pursuant to the provisions of the statutes of the State of Illinois applicable to zoning of areas within the corporate limits of any municipality, the Planning Commission and Village Board may consider variances; and

Whereas, Applicant requested variances as follows:

1. Section 151.045 (F) (4): Variance requested to not have brick extend from ground level to tops of windows.
2. Section 151.046 Schedule A: Permitted and Special Uses "Multi-family dwellings (9 buildings) with seven (7) or more units.
3. In satisfaction of green space requirements, the Development (including all phases) shall include a minimum total of 25 acres of combined active and passive green space within the Development which may include pools (including clubhouse and related facilities), walking paths, gazebos, benches/sitting areas, community gardens, dog parks, recreational lakes, recreational facilities (such as tennis courts) and picnic areas. In granting the foregoing variance, it is recognized that applicant previously dedicated approximately 27 acres of land to the Village to be used for public purposes.
4. Section 151.047 (A): Variance requested for the Garden Apartments building, so it can be constructed for 4 stories with a maximum roof height of 60 feet.
5. Section 151.254: Private streets shall be allowed within construction of Phase II with the condition that an easement is provided to the western property line for emergency access.
6. Section 151.254 (C): In lieu of walking paths, the property owner shall provide sidewalks on both sides of all private streets and walking paths internal to the site around the lakes and other landscaped features.
7. Variance and amendment to Ordinance 2017-12-04 A to increase the maximum density for the final build out of Phases 1 through 4 of the Development to not exceed 503 units. The 503 units will consist of 216 apartment units under construction in Phase 1 ("Phase 1 Apartments"), up to 72 additional apartment units ("Phase 2 Apartments"), up to 130 Garden Apartment units ("Garden Apartments") and up to 85 villas/single family ("Villas").
8. Section 151.047 (A): Variance requested to exceed the allowable lot coverage of 40%, but not more than 44%; and

Whereas, after notice, the Village of Shiloh Planning Commission Held a Public Hearing on July 8, 2019, for the Hartman Lakes Community Development, took citizen input and reviewed the Phases 2-4 PUD Application for a Special Use Permit for a PUD Development with requested variances; and

Whereas, based on information submitted, the Village Board has determined that (a) the Special Use Permit for Phases 2-4 PUD is in the best interests of the Village, and (b) the Rezoning and Special Use Permit for Phase 1 PUD approved by the Village Board on March 28, 2016 and December 4, 2017, respectively, remain in the best interest of the Village, as supplemented by the Phases 2-4 PUD.

Now Therefore, Be It Ordained by the Mayor and Board of Trustees of The Village of Shiloh, Illinois, As Follows:

Section 1: The Village Board hereby makes the following findings as the basis of its approval of the Rezoning, Special Use Permit and Planned Unit Development Applications pursuant to this Ordinance: (a) The proposed design, location and manner of operation will adequately protect the public health, safety, and welfare and the physical environment; and (b) all modifications/conditions to the Development made by the Village Board are in the best interest of the Village.

Section 2: All prior actions taken by or on behalf of the Village Board for purposes related to and in furtherance of the Rezoning, Special Use Permit and Planned Unit Development- Residential related to the Property and Development are hereby ratified and approved. To the extent that any provision of this Ordinance conflict with provisions of any prior action undertaken by the Village Board, the provisions of this Ordinance shall prevail.

Section 3: The Village Board hereby approves the updated and revised Master Development Plan for the Development attached hereto as Exhibit 3 subject to the conditions set forth herein.

Section 4: The Village Board hereby approves the Special Use Permit for the Planned Unit Development –Residential for Phases 2, 2A, 3 and 4 of the Development and Preliminary Development Plan attached hereto as Exhibit 4 subject to the conditions set forth herein.

Section 5: The Village Board hereby grants the following variances in connection with the Development:

1. The recitals contained above in the preamble of this Ordinance are approved and incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the Village of Shiloh, Illinois.
2. An updated traffic study has to be approved by the St. Clair County Department of Roads and Bridges.
3. Permitted and Special Uses: Multi-family dwellings (9 buildings) with seven (7) or more units for Phase 1 and Multi-family dwellings (4 buildings) with seven (7) or more units for Phases 2 through 4.
4. The total number of units in the Development shall be a maximum of 503.
5. Variance granted to not have brick extend from ground level to tops of windows.
6. The Development shall be permitted to include a minimum total of 25 acres of combined active and passive green space within the Development as set forth herein in satisfaction of passive and active green space and park requirements for the Development (Phases 1 through 4).
7. Building height for the Garden Apartments shall be allowed as follows: a maximum 4 story building with maximum roof height of 60 feet with appearance and features substantially as shown in the attached drawings.

8. Private streets shall be allowed within the development on the condition that an easement is provided to the western property line for emergency access and that, in the future, cross-access easements shall be provided if necessary to ensure legal access throughout the Development to adjacent public streets.
9. In lieu of walking paths, the Development shall include sidewalks on both sides of all private streets and walking paths internal to the Development around the lakes and other landscaped features.
10. Allowable lot coverage may exceed 40% but not more 44%.
11. The Garden Apartments and the Villas shall be operated as "housing for older persons" pursuant to The Housing for Older Persons Act (HOPA)(42 U.S.C. § 3601), as may be amended, and all other applicable laws.
12. The Apartments and Villas shall be leased at market-rates, subject to compliance with all applicable laws and without limiting the ability to offer or participate in promotional rent programs and/or discounts for military veterans or active members of the military.
13. The Phase 1 Apartments and the Phase 2 Apartments shall be owned by the same ownership group. The Garden Apartments and the Villas shall be owned by the same ownership group.
14. Subject to the variances granted for the Development, construction plans are to be submitted that conform to all Village Codes and Ordinances.
15. All other provisions of the Shiloh Development Code not specifically modified herein remain in full effect.

Section 6: Passage/Severability. This Ordinance shall be in full force and effect from and after passage and approval as provided by law. The provisions of this Ordinance are severable. In the event any provision of this Ordinance is determined to be invalid, illegal, void or otherwise unenforceable, the remaining provisions shall not be affected and shall remain in effect.

Passed by the Village Board of the Village of Shiloh, Illinois, on the 9th day of September, 2019, by the following vote:

Yes:

No:

Abstain:

Absent:

Approved this 9th day of September, 2019.

Attest:

JAMES A. VERNIER, II
MAYOR

BRENDA A. KERN, MMC
VILLAGE CLERK