



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

From: Ted Shekell, Planning Director
Walter Denton, City Administrator

Date: July 14, 2004

Subject: Ordinance No. _____: An Ordinance Amending Ordinance 623, Zoning Districts of the City of O'Fallon, Illinois (Planned Use Development known as "Waterfall Business Park" Parcel Number 03-36.0-300-006) – **Second Reading**

List of committees that have reviewed: The Community Development Committee reviewed this application and recommends approval, pending staff review and approval of the unified control mechanisms for the subdivision. The Committee had no comments on the application.

Background:

This project has been on hold for the last two Council meetings pending the completion by the owner of their covenants and unified maintenance agreements and cross access agreements on the four lot subdivision. The covenants have been submitted and reviewed by the staff and are satisfactory. They will be required by the Council ordinance to be recorded as restrictions on the lots and they are required to contain the following: (a) As part of the final development plan phase, the applicant shall be required to provide an agreement acceptable to the City that requires consistent, uniform access to and maintenance of all parking, driving, landscaping, and drainage areas. Said agreement shall run as a covenant with each lot; and (b) A cross access easement shall be recorded as part of the final development plan phase allowing access between all lots within the development and with all parcels of land adjacent to and north of said development.

The petitioner, Scott Martin, has filed an application (Attachment 1) requesting a zoning change for 2.69 acres along the north side of Frank Scott Parkway, west of the Green Mount Lakes Apartments, on parcel # 03-36-0-300-006 from the current "A" Agricultural district to a restricted "B-1(P)" Planned Community Business District. The proposed use is for four (4) buildings. The site is proposed for minor subdividing into four lots. Lot 1 (retail) is proposed at 0.72 acres, Lot 2 (office) is 0.73 acres, Lot 3 (office) is 0.71 acres, and Lot 4 (retail) is proposed at 0.52 acres. The property will be restricted to specific light-retail and office uses as detailed in the project report.

Planning Commission reviewed the project and recommends approval 9-0 with conditions outlined in the attached project report.

Legal Considerations, if any: None

Budget Impact: None

Staff recommendation: Approval with conditions (see project report).