



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

From: Ted Shekell, Planning Director
Lisa Reime, Planner
Walter Denton, City Administrator

Date: August 2, 2004

Subject: Ordinance No.3202: An Ordinance Amending Ordinance 623, Zoning Districts of the City of O'Fallon, Illinois (Planned Use Development known as "City of O'Fallon Planned Commercial District, to include Delmar Gardens" - **Request for Extension of a Final Development Plan**

Background:

On August 18, 2003, the City Council adopted Ordinance No. 3202, approving a planned use of 23.74 acres of City owned property located along Pierce Blvd. from Agriculture to B-1(P) to allow a planned commercial development and a senior living facility. In accordance with Section 19.100 Expiration of an approved development plan, Article XIX Planned Uses of the O'Fallon Zoning Ordinance, *"final development plan approval shall not be valid for a period longer than twelve (12) months from the date of such approval... the Council may grant one extension of no more than twelve (12) months upon written request of the original applicant."*

On July 22, 2004, the Planning and Zoning Department received a letter from Howard Oppenheimer, Executive Vice President of Delmar Garden Enterprises, requesting an extension on the final development plan approval. The letter states that nursing facilities are required to obtain a Certificate of Need from the State of Illinois prior to construction, and that the State is currently not issuing Certificates of Need for nursing facilities in St. Clair County. This extension will give Delmar Gardens additional time to continue pursuing their Certificate of Need. A copy of the letter is attached for your review.

Legal Considerations, if any: None

Budget Impact: None

Staff recommendation: Approval of a twelve (12) month extension for final development plan approval for the City of O'Fallon Planned Commercial District to include Delmar Gardens.

