



### CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council

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

**Date:** March 6, 2006

**Subject:** Ordinance No. \_\_\_\_\_: An Ordinance Amending Ordinance 623, Zoning District of the City of O'Fallon, Illinois (Planned Use Development known as "First Bank Development" Parcel Number (03-25.0-409-012) – **Second Reading**

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**Project Update:** Following the City Council meeting of February 21, 2006 (1<sup>st</sup> Reading) and the Community Development Committee meeting of February 27, 2006, the applicant has submitted a revised Preliminary Site Plan for the First Bank proposal at 1804 W Highway 50. The proposal now shows 5' of further separation to the east for the proposal's Highway 50 entrance. This adjustment allows for a total separation of this entrance and the little blue house's entrance of 15'. The final permit authority for this entrance is the Illinois Department of Transportation. Ruanna Stumph from IDOT reviewed the bank's entrance location and stated in an email to the project engineer Chris Betts on 2-9-06 the following: "As previously stated, the Department (IDOT) is not opposed to the location of the entrance since you have answered the generated trips question."

The applicant has requested the City allow them to post a letter of credit for the future construction of sidewalk along the W. Hwy 50 frontage. The developer however shall be permitted to post a Letter of Credit in the amount of \$45,330 for the later construction of the W Highway 50 sidewalk. As discussed in the CD meeting on Feb 27, the applicant will be required to build a sidewalk along the Green Mount frontage at the time of the bank's construction.

The applicant will be obligated to grade the site in a manner that best accommodates the future sidewalk on the bank's property. Final grading of the site will be scrutinized by staff during the Final Site Plan phase to ensure that the dollar amount posted by the developer through the Letter of Credit covers the costs born by the City for the sidewalk's later construction.

**List of committees that have reviewed:** The Community Development Committee reviewed the petition at their February 13, 2006 meeting and gave their approval of the project with the following comments:

*Cross Access:* The property owner of the parcel immediately to the west of the First Bank property (the little blue house) requested the CD Committee require First Bank provide cross access between the bank property and his ¼ acre lot. After consideration of traffic circulation, approval by IDOT of the proposed entrance, the applicant's request and the bank's counter proposals, the Committee voted 3-1 at their Feb 13 meeting to allow the site plan without requiring cross access.

*Highway 50 Sidewalk:* The applicant requested a variance to the City's ordinance requiring a sidewalk along Highway 50. The applicant stated that a sidewalk located in the state's right-of-way

(ROW) would carry a total cost of \$200,000 for curb & gutter, utility location, paved shoulder and sewer pipe as indicated in the attached project report. After further review, staff believes the sidewalk may be constructed without these extra improvements at a cost of \$45,330 and still meet IDOT's standards. Also, the bank stated concern over its liability if the sidewalk were located on the development lot. The City stated that the cost of construction of the sidewalk in the state's ROW should not be more costly than a typical on grade sidewalk and the city would maintain it through an agreement with the state, just as the City will maintain the North Green Mount sidewalk through an agreement with the county. At its Feb 13 meeting, the Committee voted 4-aye to 0-nay to require the bank to construct a sidewalk along Highway 50 with the exact location and design to be reviewed and approved by staff in the construction plan phase.

*Freestanding Signs:* The applicant requested a variance to the City's ordinance permitting only one freestanding sign for a development lot in order to construct two monument style freestanding signs on the site, one sign along the frontage of Green Mount and one sign along the frontage of Highway 50. The Committee voted 4-aye to 0-nay to approve a variance and allow two freestanding signs on the site.

*The Planning Commission held a public hearing on the above referenced application at their Tuesday, January 24, 2006 meeting. The Commission voted 5-aye, 0-nay, and 2-abstain to accept the project report and recommend approval with the following conditions:*

- 1. The entrance along Hwy 50, while not the meeting the minimum separation of 125' normally required by the City, has apparently met IDOT specifications for separation from the entrance to the blue house to the north.*
- 2. A sidewalk is required along Highway 50. A separation of 10' between the edge of pavement of Highway 50 and the edge of the sidewalk is acceptable and warranted to reduce the costs of construction and implementation.*
- 3. The applicant has requested a variance to this sidewalk requirement, which should be forwarded to the City Council for their consideration.*

**Legal Considerations, if any:** None

**Budget Impact:** None, other than the long term maintenance costs of sidewalks.

**Staff recommendation:** Staff recommends approving the petition with the Community Development Committee's conditions listed in the attached ordinance.