



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: May 19, 2008

Subject: Ordinance No. _____: An Ordinance Amending Ordinance 623, Zoning Districts of the City of O'Fallon, Illinois (Planned Development known as "Dickerson Petroleum") – **First Reading**

List of committees that have reviewed: The Community Development Committee reviewed the Zoning Amendment on this development at its May 12, 2008 meeting. The Committee made no formal recommendation on the project.

Staff acknowledges the existence of a dispute between the adjacent property owner (Darwin Miles) and the applicant (Steve Dickerson) as it relates to the rear access driveway running along the western edge of the subject property.

Although the City is not a direct or third party to this dispute, the applicant will be required as a condition of this zoning approval to pay for the upgrade of the access driveway to concrete from Regency to his back driveway entrance and will enter into a maintenance agreement. The access road will be to city specification per our code and the cost share will be agreed to prior to second reading

Background: The applicant, Steve Dickerson for Dickerson Petroleum, Inc. has filed an application requesting approximately 1.57 acres of land be rezoned from B-1, Community Business District, to B-1(P), Planned Community Business District for the proposed use of a gas station and convenience store. The property is located on the northwest corner of North Green Mount Rd and Regency Park Drive.

There are two key questions before the City Council:

1. Is a gas station and convenience store an appropriate use for this location?

If no, then the project should be rejected as proposed.

If yes, then we would recommend the project site layout as attached to this report.

2. Is the proposed site layout acceptable?

Staff recommends the attached site plan layout with the conditions listed below. The attached layout has been accepted by the applicant, Steve Dickerson. It includes two full access points

onto the access driveway to the west, and an existing right-in, right-out access point off of North Green Mount Road. Initially, the applicant also proposed a right-in-only access point off of Regency Park Drive, but the City's traffic engineering consultant, Lee Cannon from CBB, recommended against this access point due to safety concerns. He also believes these safety concerns will increase as traffic increases along Regency Park Drive. The applicant was agreeable to the removal of this access point but in lieu of it stated he needed two full access points on the rear access drive.

If the City Council finds the proposed site layout unacceptable and prefers to allow the right-in only off Regency Park Drive, then staff would not recommend the southernmost access point on the driveway.

Staff Recommendation: Staff recommends approval of the project with the site plan as attached to this report. It shows no direct access to Regency Park Drive. We also recommend the following conditions:

- 1) Eliminate the right-in only curb cut off of Regency Park Drive due to lack of access management and poor intersection spacing
- 2) No left turn on the access road extending from Regency Park Drive to at least 40 feet north of the first internal drive intersection to reduce potential traffic backups.
- 3) Increase the southeast corner radius at the intersection of Regency Park Drive and the access driveway, and widen the access driveway width to keep truck traffic from encroaching on adjacent drive aisles.
- 4) Design the improvements to the southeast corner of the site so they can bear the weight of a loaded semi-truck in case over-tracking occurs. Eliminate grass and other landscaping in this area.
- 5) Enter into a maintenance agreement with adjacent property owners for the continued maintenance of the access driveway to the west of the subject property.
- 6) The applicant will construct one monument sign with a sign area not to exceed 60 sq. ft. in accordance with the annexation agreement governing this property. All dimensions must meet the City's Sign Ordinance. The sign face will be completely surrounded by brick. Signage will require a separate sign permit.
- 7) All HVAC rooftop units are to be screened from the public ROW by materials that will blend in with the roof materials.
- 8) A master streetscape plan is required for the Shoppes at Green Mount development and is to be submitted to the City for its review and approval by Darwin Miles and coordinated with the property owners along Regency Park Drive; however, this plan has not been submitted to the City to date. Should the master plan be submitted and approved prior to final site plan approval for this project, this project will be subject to its requirements.
- 9) The landscaping on the northern property line must be coordinated with the approved development to the north.
- 10) Engineered plans must be submitted for any portion of the retaining wall proposed on the north of the site that exceeds 4 feet in height.
- 11) No neon accents will be permitted on the site.
- 12) Canopy lighting and scale are a concern as to impact on neighboring residential properties. Canopy lighting must be shielded and recessed.
- 13) The applicant will be responsible for making contribution toward his reasonable portion of the cost of the rear access driveway's construction.