

ORDINANCE NO. 3577

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois (Development known as
“Rock Springs Townhome Apartments,”
Parcel Number 04-27.0-300-021)**

WHEREAS, the applicant, Tyler Kratrochwill for Rock Springs, LLC, is requesting to provide a 237-unit multi-family residential development for Rock Springs Townhome Apartments located near the northeast corner of E. Hwy 50 and Scott-Troy Road and the applicant proposes to rezone the property from MR-2 to MR-2(P), Planned Multi-family Residential Dwelling District, pursuant to the proposed development shown on the attached Preliminary Site Sketch (Exhibit B); and

WHEREAS, the applicant has requested and heretofore filed a petition with the City of O’Fallon for a zoning change from MR-2 Multi-family Residential Dwelling District to MR-2(P) Planned Multi-family Residential Dwelling District, pursuant to the proposed development shown on the attached Preliminary Site Plan (Exhibit A); and

WHEREAS, the applicant has filed an application with the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws, including City Ordinance 3471, “Planned Uses”; and

WHEREAS, said Planning Commission of the City of O’Fallon, Illinois held a public hearing on August 12, 2008, in accordance with state statute, and recommended to approve the petitioner’s request to obtain MR-2(P) Planned Multi-family Residential Dwelling District zoning for the property with a vote of **8-yes to 0-nays** subject to conditions as outlined in the adopted Planning Commission Report, attached hereto and declared to be an inseparable part hereof (Exhibit B); and

WHEREAS on October 13, 2008 the Community Development Committee of the City Council reviewed and had no formal recommendation; and

WHEREAS on October 27, 2008 the Community Development Committee of the City Council reviewed and recommended the rezoning be considered by the full Council, although without a positive or negative recommendation from the Committee.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O’FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:

Section One. The Zoning Ordinances of the City of O’Fallon, including the accompanying Official Zoning Map, made a part thereof are hereby amended to change the zoning district classification from MR-2 to MR-2(P), Planned Multi-family Residential Dwelling

District as the zoning, subject to the additional conditions set forth in this ordinance, for the following land within the City of O'Fallon, St. Clair County:

“Rock Springs Townhome Apartments,” Parcel Number 04-27.0-300-021

Section Two. The zoning authority and approval embodied in this Ordinance is granted subject to compliance with the ordinance regulations of the City, including the Zoning Ordinance, subdivision and development regulations and all other applicable City ordinances, rules and regulations and the conditions of this ordinance and the attached Preliminary Site Plan, except as may be expressly modified herein, upon the requirement that the development and plan are carried out in accordance with the recommendation forwarded to the City Council by the Planning Commission and any conditions set forth by the City Council as follows:

1. The entire development shall be constructed in one phase.
2. An easement plat shall be recorded to vacate the existing IL Power easements throughout the property and establish a new sidewalk easement along Scott-Troy Road.
3. The developer shall adhere to and be responsible for compliance with all recommendations in the CBB traffic study.
4. If required by the St. Clair County Highway Department, a southbound turn lane on Scott-Troy Road shall be required to be constructed by the developer for the northern entrance per the recommendation of the CBB transportation study.
5. All fire hydrants shall be spaced at a minimum of 400 ft.
6. No parking shall be allowed outside designated striped parking spaces. Parking shall be prohibited on all remaining paved drives with posted “No Parking” signage and striped fire lanes.
7. All buildings shall be sound attenuated per the requirements of the City’s Airport overlay Zoning Ordinance.
8. A total of \$537.51 will be collected as a fee in-lieu of park space for each residential unit at the time of the issuance of a building permit.
9. The developer shall construct the gates for the dumpster enclosures with vinyl instead of wood. Also, the concrete blocks should be dyed, not painted, with a compatible building color.
10. The developer should provide a six-foot tall berm with a 3:1 slope.
11. The developer should provide the details on the number, locations and types of playground equipment and picnic tables to be displayed within the mini-parks during the construction plan phase.
12. Both proposed freestanding signs shall be constructed on the subject property with an approved sign permits.
13. The townhomes units will be built consistent with the architectural design of the elevations attached to this report.
14. At the request of the applicant, this Planned Use approval will expire 4 years from the date of approval, rather than the standard 1 year + 1 year extension.
15. The City’s Comprehensive Plan recommends a maximum density of 10 units to the acre for multi-family projects, and the applicant has requested a density of 11.07 units per acre, which is recommended for this project, given the amenities provided.

Section 2. Filing. A Certified Copy of this ordinance, with all referenced attachments, shall be filed with the City Clerk’s office of the City of O’Fallon, Illinois.

Section 3. Passage. This Ordinance shall be in full force and effect from and after its passage

and approval as provided by law.

Passed by the City Council this ___ day of _____ 2008.

ATTEST:
(seal)

Approved by the Mayor this ___ day
of _____ 2008.

Philip A. Goodwin, City Clerk

Gary L. Graham, Mayor

ROLL CALL:	Albrecht	Bennett	Polites	N. Drolet	Grogan	Schmidt	Medford	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Engler	Mouser	Reckamp	J. Drolet	Renner	True	West	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									