



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: December 1, 2008

Subject: Regency Park Annexation and Rezoning (1st Reading)

List of committees that have reviewed: The Community Development Committee reviewed the annexation and rezoning of the project at its meeting on November 24, 2008, and recommended unanimously taking the project forward for a First Reading. The Committee is aware that there are site plan issues that remain and that a revised site plan and subsequent Second Reading will be ready for consideration at either the Dec 15, 2008, Council meeting or at the January 5, 2009, Council meeting.

The annexation of the land and the Planned Use Rezoning will be ready for First Reading consideration at the Council meeting on Dec 1. A resolution approving the preliminary plat and a resolution authorizing the Mayor to enter into an annexation agreement will be provided concurrently the Second Reading of the ordinances for annexation, planned use, and TIF.

Background: This project includes an Annexation, Preliminary Plat, a Zoning Amendment subject to the Planned Development Ordinance, and a TIF Ordinance for a mixed use development of "B-1(P)" Planned Community Business District and "O-1(P)" Planned Office District for an approximate 68-acre proposed development known as Regency Park Corporate Campus. The applicant proposes the development of approximately 613,720 sq. ft of Class "A" office space and 24,700 sq. ft of retail/restaurant space, for a total of approximately 638,420 sq. ft of buildings within the development.

This master-planned development includes a mix of professional offices and retail with options for casual dining, a hotel and a commercial daycare center. The applicant intends to develop brick and glass buildings on the site, and has requested flexibility on the exact location, number of buildings and stories, and mix of uses. Parking would be shared by all users.

The subject property has been proposed for inclusion in a Tax Increment Financing (TIF) District. A public hearing on the creation of the TIF District was initially held on October 20, 2008 and continued until the November 17 Council meeting, where it was closed. Additionally, a public hearing on the annexation agreement was opened at the November 17 Council meeting and continued until the December 1 meeting. The agreement is still being worked through, with the intent being to have a draft ready for the CD Mtg on Nov 24.

The approvals for Dec 1 include First Reading on the Planned Use Zoning, Annexation of the parcel, and the TIF Ordinances. Resolutions on the annexation agreement and preliminary plat will be provided for a vote at the December 15 or Jan 5, 2009 Council meeting.

Planning Commission Update

The Planning Commission held a public hearing on the above referenced application at their October 28, 2008 meeting. The Commission voted unanimously to accept the project report and recommend approval with the following conditions:

- 1) The final design considerations for the development must be based on the recommendations of the Traffic Study to be performed by CBB and accepted by the City.
- 2) The buildings must be consistent with the architectural renderings attached to the staff report, and if not, would otherwise be required to meet the standards of any adopted Council policies or guidelines created for non-residential building design within the City.
- 3) Hours of operation will vary given the mix of uses proposed for the site. Any use located on North Green Mount Road within 250 ft. of residential properties will have hours of operation not later 11:00 pm.
- 4) A landscaping and photometric plan must be submitted as part of the final construction drawings.
- 5) A conceptual condominium plat is approved as part of this submission. A set of final condo drawings and covenants must be submitted and approved by the City as part of the final construction drawings.
- 6) The development will consist of approximately 613,720 sq. ft of Class "A" office space and 24,700 sq. ft of retail/restaurant space, for a total of approximately 638,420 sq. ft of buildings within the development.
- 7) The development will require a total of 2,612 parking spaces, and the applicant has provided 2,851 parking spaces. The site is overparked by 239 spaces as currently proposed, which will allow for some flexibility on site layout and mix of uses.
- 8) Alternate zoning approvals are recommended as follows:

a. Convenience Store/Retail/Bank Site

The applicant has identified the northeastern building of the development (Lot 2) as a gas station/restaurant/convenience store. Staff recommends removing that proposed use and instead showing it as a bank or retail building. Staff believes that a gas station and convenience store would best be evaluated as a separate project, which would include a separate public hearing and approval. The applicant has subsequently shown as an alternate plan on Sheet 3 providing for a bank/retail center layout. Staff believes this layout would be satisfactory, with the exception that an entrance off of Carr St is shown within 80 feet of the intersection with North Green Mount Rd, which staff believes is too close. Staff would recommend an access drive no closer than 250 ft to 300 ft to the intersection. The retail and office buildings should be architecturally consistent with the standards provided as attachments to this report.

b. Hotel/Office/Restaurant Site

On the west end of the lake, the plan currently shows a 6,500 sq. ft restaurant and a 22,400 sq. ft two-story office building. As an alternative, the site may also be considered for a hotel that would encompass the area shown for both the office and restaurant. A hotel would be required to meet all minimum zoning and parking requirements, and should be of a design and materials consistent with the Hilton Garden Inn and up to 3 stories in height.

c. Retail/Office Adjacent to the Vacant Bowling Alley

The developer currently shows two office buildings totaling 46,200 sq. ft. on the site adjacent to the vacant bowling alley. This site is appropriate for this office proposal, as well as a mix of office/retail, or even solely retail, as long as building square footage and parking ratios can be met. The architectural standards for either should be consistent with the architectural elevations attached.

- 9) The project is expected to be built in two phases, however, flexibility regarding construction timing should be coordinated and approved by the City Council and built into the terms of the TIF Redevelopment Agreement.
- 10) Developer must meet all other requirements and conditions recommended in the project report, as well as all other regulations and standards of the City of O'Fallon.

Legal Considerations, if any: Annexation Agreement has been reviewed by Dan Vogel and TIF Ordinances have been reviewed by Mike Weber from PGAV.

Budget Impact: TIF will be a part of the approvals, however, there will be no other budget impacts from the project at this stage.

Staff Recommendation: Staff recommends approval of the Annexation and Planned Use Rezoning on First Reading.