



PROJECT REPORT

TO: Planning Commission
FROM: Jennifer Howland, Senior City Planner
DATE: October 27, 2009
PROJECT: P2009-16: Frank Scott Lakeside Apartments Planned Use Rezoning

Location: 1146 Frank Scott Parkway East, O'Fallon
Applicant: Don Land, Balke Brown Associates
Owner: (same)
Submitted: September 28, 2009

Project Summary

The applicant, Don Land for Balke Brown Associates, has filed an application requesting 20.13 acres of land be rezoned to MR-2(P), Planned Multi-Family District for a proposed apartment complex and 4.91 acres of land be rezoned to B-1(P), Planned Community Business District for a proposed commercial development for commercial/retail space. The property is generally located at 1146 Frank Scott Parkway East – 2,000 feet west of the Green Mount Road and Frank Scott Parkway East intersection.

This property was previously approved for a mix of townhomes and condominiums, with a commercial development on the frontage of Frank Scott Parkway in 2004 but that approval has since expired.

It should be noted that this project is broken up into two phases. Phase 1 includes the apartment complex and intersection improvements to Frank Scott Parkway. Phase 2 includes the commercial development.

Existing Conditions

Surrounding Zoning:	Surrounding Land Use:
North: B-1 and B-1(P)	North: commercial (American TV), vacant land
East: B-1 and MR-2	East: vacant land, apartments (Green Mount Lakes)
South: Village of Shiloh	South: vacant land
West: MR-1(P) and A	West: residential (Stone Bridge Estates) and farmland

Applicable Ordinances, Documents and Reports

O'Fallon Comprehensive Plan: The O'Fallon Comprehensive Plan Future Land Use Map depicts the subject property as *Multi-Family Residential* and *General Commercial*, which is consistent with the proposed project.

Zoning Ordinance and Planned Use Ordinance: The proposed apartment complex and retail center are subject to Article IX Planned Uses of the Zoning Ordinance and require a development plan. The property is also subject to the MR-2, Multi-Family District and B-1, Community Business District requirements.

Public Notice: Public Notice of this project has been fulfilled in accordance with Section 8.03 and 8.04 of the City of O'Fallon Zoning Regulations. More specifically, the applicant has notified property owners within 250 feet of the subject property via certified mail of the filing of the zoning amendment. Additionally, the City has notified property owners within 250 feet of the subject parcel of the public hearing at least 15 days prior to the hearing and published notice of the public hearing in a local newspaper at least 15 days in advance. Proof of notification is on file with the City's Planning and Zoning Department.

Discussion Points/Issues

Land Use

The subject property is identified as *Multi-Family Residential* and *General Commercial* in the Comprehensive Plan. The proposed project is consistent with the Comprehensive Plan. The subject property is surrounded by commercial uses to the north, multi-family residential uses to the east, agricultural and residential uses to the west, and vacant land to the south.

The proposed project has a density of 11.5 units per acre. The MR-2 Zoning District allows up to 16 units per acre, but the Comprehensive Plan, which is a policy guide, suggests a density not to exceed 10 units per acre for multi-family development. The applicant has noted that although they are requesting a higher density than what the Comprehensive Plan suggests, it is under the density of the adjacent Green Mount Lakes Apartments. The previously approved project for this property had 201 units and 32 buildings, and this new project has 232 units in 20 buildings, as well as 14,000 sq. ft. more green space.

The commercial development shows 20,767 sq. ft. of retail space and 8,000 sq. ft. of restaurant space, which includes designs for a drive-thru. The applicant also requests permission to have uses in the commercial development that may serve alcohol. The approval of this Planned Use would include approval for the above mix of uses and square footages without further need for separate Planned Use approvals.

Traffic Circulation/Parking

Ingress and Egress: Access to both the apartment complex and commercial development will be via Fountain Lakes Drive, an existing private driveway that also serves Green Mount Lakes Apartments to the east of the subject property. A cross-access and joint maintenance agreement has been provided between the 3 lots served by Fountain Lakes Drive.

The existing entrance off of Frank Scott Parkway will be improved to include a traffic signal, a westbound right turn lane, and an eastbound left turn lane. The traffic study has been approved by St. Clair County and the Intersection Design Study is currently under review. These intersection improvements must be constructed as part of Phase 1 of this project.

Parking: The apartment complex requires 2 parking spaces per unit and 4 parking spaces per 1,000 sq. ft. of clubhouse. There are 232 units which require 464 parking spaces. The clubhouse is 2,800 sq. ft. which requires 12 parking spaces. Therefore, the total required parking is 476 spaces. The applicant has provided 484 parking spaces. These parking spaces are provided as on-surface parking and interior garage parking. The applicant has requested a variance to the required parking stall dimensions for 282 of the parking spaces (58%). These 282 parking spaces would be 9 ft x 18 ft. The applicant feels the smaller parking stalls will make their project better and would provide for more open space.

The commercial development requires 4 parking spaces per 1,000 sq. ft. of retail space and 9 parking spaces per 1,000 sq. ft. of restaurant space. There is 20,767 sq. ft. of retail space which requires 83 parking spaces and 8,000 sq. ft. of restaurant space which requires 72 parking spaces. Therefore, the total required parking is 155 spaces. The applicant has provided 158 parking spaces, all of which meet the required dimensions of 10 ft x 19 ft.

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Sidewalks

Sidewalks are provided along Fountain Lakes Drive and interior to the apartment complex. The topography along the frontage of Frank Scott Parkway, particularly the portion that runs into the floodway, is not conducive to installing a sidewalk.

Utilities and Drainage

Water and sanitary sewer main extensions will be constructed to serve the development. Water is provided by the City of O'Fallon and sanitary sewer is provided by Caseyville Township Sewer District. The water main will be looped and will be within a public easement. The City installed a 12-inch water main along Frank Scott Parkway. This main was installed by the City rather than by the developer because the previously approved project did not get constructed. Now that the project is moving forward, the developer will be required to reimburse the City for the equivalent cost of an 8-inch water line.

Storm water will be piped to a detention lake in the middle of the development and then to the floodplain to the west of the property. The subject property is also required by plat to handle the storm water runoff from Lot 26 of Central Park Drive.

The applicant has requested a variance to Section 52.008 of the Code of Ordinances to allow a well to be drilled in the proposed lake to be able to use the lake water for site irrigation while maintaining a consistent lake level. The well would not be used for potable domestic water.

The property had previously been granted a CLOMR (Conditional Letter of Map Revision) by FEMA which basically takes the structures out of the regulated floodplain according to the state and federal government. Once the project has been completed, the City must request a revision to the Flood Insurance Rate Map (FIRM) to reflect the project. "As-built" certification and other data, provided by the developer, must be submitted to support the revision request.

Fire hydrants and FDC locations shall be as determined by the city in accordance with City ordinances.

Building Elevations & Site Amenities

The apartment complex will consist of a 2,800 sq. ft. clubhouse and 20 apartment buildings constructed of siding with stone accents at the base and a pitched roof with architectural shingles. The apartment buildings will have a total of 232 units, with approximately 1/3 of which will have garages in the building.

The applicant has provided several on-site amenities for use by the residents of the apartment complex. These amenities include a clubhouse, pool, recreational lake with waterfall and fountains, two dog parks, putting green, pavilions, a walking trail around the lake, and nature trails through the floodplain riparian corridor.

The applicant has provided a building elevation for the front of the commercial building, but more details will be necessary to ensure that the architectural design is consistent with the Commercial Design Handbook.

Landscaping and Buffer Requirements

In lieu of the required Class "A" or "B" structural buffer along the north, east, and south property lines where the subject property is adjacent to the B-1 zoning district, the applicant requests a variance to allow construction of a 20 ft wide natural buffer, which will include dense landscaping and a berm as outlined in Section 13.070 of the Zoning Code.

The western portion of the subject property is identified as a Riparian Zone on the Comprehensive Plan Future Land Use Map. The applicant requests a variance to Section 13.140 of the Zoning Code to allow 15% development within the "y" zone of the riparian buffer. The Zoning Code limits development within the "Y" zone to non-structural or

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natural storm water management strategies, non-vehicular circulation systems, or dedicated open space. The applicant proposes to encroach into the "y" zone with buildings in 15% of the "y" zone, but they will not remove any trees.

The parking lot of the commercial development must be landscaped in accordance with the parking lot landscaping requirements described in Section 11.100 of the Zoning Code.

Park Land Dedication

The City of O'Fallon Subdivision and Development Control Ordinance requires that residential developments, including multi-family developments, dedicate park land to the City or provide a fee in lieu of park land dedication. Based on 232 proposed units, the applicant will be required to pay \$136,332.48 to the City of O'Fallon to be collected at the time of issuance of the building permit for the apartment complex. The City Council may grant up to 50% credit for on-site private improvements.

Signage

According to Article 12, "Sign Regulations" of the Zoning Code, the applicant is permitted to install one freestanding sign for the commercial development and one freestanding sign for the apartment complex. Each sign must be located on the property in which the activity or business is taking place. In addition to the permitted freestanding sign for the commercial development and the apartment complex, the applicant requests a variance to allow installation of a second freestanding sign to be located on the commercial lot to advertise the apartment complex. This sign would be considered an off-site sign and would exceed the allowable number of freestanding signs per development lot. However, because the apartment complex is located behind the commercial development, staff believes that an additional sign at Frank Scott Parkway is warranted. All signage must meet the requirements of the City's Sign Regulations, which among other requirements limits the apartment complex signage to 40 sq. ft. in sign area for each sign.

Hours of Operation

Proposed hours of operation for the commercial development are 9:00am to 1:00am daily.

Review and Approval Criteria: Section 9.050 of Article IX "Planned Uses" lists several criteria for evaluating planned uses. As presently designed:

- Does the proposed project meet all applicable zoning standards set forth in the O'Fallon Zoning Regulations in regards to site development? *Answer: The project meets all applicable zoning standards.*
- Is the proposed development designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected? *Answer: The proposed development is designed to be operated to protect the public health, safety and welfare.*
- Does the development of this parcel, as presently shown impede the normal and orderly development and improvement of the surrounding property, or impair the use, enjoyment, or value of neighboring properties? *Answer: The development will not impede the normal and orderly development and use of the surrounding property.*
- Does the site accommodate the building, parking, and drives with appropriate open space and safe, easy ingress and egress? *Answer: The site accommodates the building, parking, and drives with appropriate open space and safe, easy ingress and egress.*
- Does the proposed development meet the area-bulk requirements set forth in the MR-2 and B-1 district regulations? *Answer: The proposed development meets the area-bulk requirements set forth in the MR-2 and B-1 zoning districts.*

Staff Recommendation

Staff recommends approval of the project with the following conditions:

1. This project approval will be valid for 1 year for the apartment complex and 2 years for the commercial development with an option to request a 1 year extension from the City Council.
2. Considering the amount of amenities and open space provided in the apartment complex, relief is granted for the recommended density in the Comprehensive Plan for multi-family developments to allow a maximum density of 11.5 units per acre.
3. The commercial development may include a drive-thru, establishments that serve alcohol, and a maximum of 8,000 sq. ft. of restaurant use.
4. The improvements to the intersection of Frank Scott Parkway and Fountain Lakes Drive must be completed as part of Phase 1 of this development.
5. A variance is denied to allow parking stall dimensions of 9 ft x 18 ft for 282 parking spaces (58% of the total parking spaces provided). Staff is unable to determine a clear hardship to justify the variance, and we feel it is important to be consistent with other projects where we have not varied this requirement.
6. The developer will be required to reimburse the City for the equivalent cost of an 8-inch water line along the frontage of the subject property along Frank Scott Parkway.
7. The building elevations for the commercial development must be consistent with the principles of the Commercial Design Handbook.
8. Because a natural buffer lends itself well to blending in with residential development, a variance is granted to allow installation of a Natural Buffer In lieu of the required Class "A" or "B" structural buffer along the north, east, and south property lines where the subject property is adjacent to the B-1 zoning district. As an offset to that variance, the applicant will be required to provide sufficient landscaping to create an opaque screen.
9. Because the applicant intends to provide open space in excess of the riparian buffer requirements elsewhere along the riparian buffer, and because the riparian zone is not currently in a natural state, a variance is granted to allow 15% development within the "y" zone of the riparian buffer.
10. The applicant will be required to pay a Park Land Dedication Fee of \$136,332.48 to the City of O'Fallon to be collected at the time of issuance of the building permit for the apartment complex.
11. Because the apartment complex has limited visibility on Frank Scott Parkway, a variance is granted to allow a second freestanding sign on the commercial property to advertise the apartment complex. All signage must meet the City's Sign Regulations, which among other requirements limits the apartment complex signage to 40 sq. ft. in sign area for each sign.

Attachments

Attachment 1 – Project Application

Attachment 2 – Zoning Map

Attachment 3 – Narrative

Attachment 4 – Code Deviations

Attachment 5 – Preliminary Civil Plans

Attachment 6 – Building Elevations