



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: December 7, 2009

Subject: Ordinance No._____: An Ordinance Amending Ordinance 623, Zoning Districts of the City of O'Fallon, Illinois (Planned Development known as "Frank Scott Lakeside Apartments") – **Second Reading**

List of committees that have reviewed: For the Second Reading, The Community Development Committee reviewed and voted 3-1 to approve the project at its November 23, 2009 meeting, with amendments.

There was considerable discussion regarding the parking variance, and it was determined that the width of 10' should be adhered to per the parking code, however, given the fact that approximately 116 of the 232 units would be 1 bedroom, the actual demand for parking spaces might be considerably less than the code would require. The Committee was willing to consider a variance to the number of spaces, dependent upon the research to be provided by the applicant prior to the Council meeting.

As a follow-up to the meeting, Balke Brown provided information regarding common industry parking standards for single bedroom units, which showed that between 70% and 90% of 1 BR units had only one car – our code currently requires a minimum number of 2 parking spaces be provided per unit. In the Frank Scott Lakeside Apartments, Balke Brown proposes providing 465 parking spaces at a dimension of 10' x 18' instead of the 476 at 10' x 19' required by the code. A copy of the information provided by Balke Brown is attached. After a review of that information, staff recommends the variance be approved.

Legal Considerations, if any: None

Budget Impact: The project is estimated by the developer to cost an estimated result from construction of the apartment project, totaling a net to the City of \$479,137.

- a) Park Land Dedication Fee - \$136,332
- b) Reimburse City for watermain on Frank Scott - \$15,000

- c) Water tap fees - \$232,000 (sewer is Caseyville Township)
- d) Building permit fees - \$95,805

Staff Recommendation: Staff recommends approval 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 on the west end of the building. A maximum of 8,000 sq. ft. of restaurant use is permitted in the commercial building, which may be broken up into multiple tenant spaces. Any uses involving the sale of alcohol will be required to obtain a separate Planned Use approval.
- 4) The developer must complete the improvements to the intersection of Frank Scott Parkway and Fountain Lakes Drive as part of Phase 1 of this development.
- 5) **Based on the unit mix, with approximately 50% of the total units being 1 bedroom (or 116 units out of a total of 232), which would permit a lower number of parking spaces be provided on site, a variance is approved to allow parking stall dimensions of 10 ft x 18 ft for 465 parking spaces on the property. A variance is also approved that will permit the reduction in the total parking spaces on the site from the required 476 down to a proposed 465 spaces.**
- 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 in the amount of \$15,000.
- 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.

- 12) Construction of the required sidewalk along the property frontage of Frank Scott Parkway is waived until such time as (1) the roadway is reconstructed by the County Highway Department and approval is provided authorizing the sidewalk on County right-of-way, or (2) until such time as a pedestrian connection can be provided through the rear of the subject lot and into the adjacent Lot 26 on Central Park Drive to make a connection to Central Park Drive. This pedestrian connection to the rear of the property will be a private access point for residents of Frank Scott Lakeside Apartments. The estimated cost of the sidewalk along Frank Scott Parkway is \$11,200, with this amount to be escrowed by the applicant with the City of O'Fallon and shall be used at such time and in such manner as determined by the City.**
- 13) A platted access for future emergency vehicle usage must be provided to the rear property line of the subject property, and this stub will be required to be built by this owner or subsequent owner(s) at such time as compatible access is provided on Lot 26 and as determined by the City. It will be a private access.**
- 14) In the event a permit(s) for construction of the apartment project is not requested and obtained by the applicant within one year of the effective date of this ordinance, a public street shall be considered as an alternate vehicular access way through the subject property between Frank Scott Parkway and Central Park Plaza**