



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: September 4, 2007

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

List of committees that have reviewed: The Community Development Committee reviewed and unanimously recommended to deny the Zoning Amendment on this development at its August 13 and August 30, 2007 meetings. Staff presented a recommendation of approval with the conditions listed below.

Background:

The applicants, Carlos and Carlotta Perez, have filed an application requesting approximately 24,500 sq. ft. of land located at 510 S. Lincoln Avenue, be rezoned from B-1, Community Business District to B-1(P), Planned Community Business District to allow for limited automotive repair.

The Zoning Code of Ordinances does not specifically define "limited automotive repair." Therefore staff interpreted the proposed use as "automotive service station." Said use is defined as, "...one of the following services is rendered: sale, replacement, or servicing of spark plugs, oil, water hoses, brake fluids, batteries, distributors, tires, carburetors, brakes, fuel pumps or other automotive parts or accessories."

On August 13, the committee discussed what would qualify as B-1 vs. B-2 automotive repair, and Mr. Perez was not clear on what he would be able to do at his business, although he stated that he would do work that the committee felt would be classified as a B-2 use. The committee expressed concern that Mr. Perez may provide automotive repair exceeding the definition of "automotive service station", which is not allowed under the permitted uses of B-1(P) zoning district.

Legal Considerations, if any: None

Budget Impact: none

Staff Recommendation: Approval of the Rezoning from B-1 to B-1(P) with conditions outlined in the project report and listed below:

1. A concrete wheel stop shall be provided for each of the required 12 parking spaces.
2. One handicap parking space shall be provided near the main entrance of the building in compliance with the Illinois Accessibility Code.
3. The existing storage bin shall be removed from the site.
4. All existing and proposed signage shall be subject to review and approval through the sign permit process.
5. No freestanding signage shall be allowed.
6. No repair work shall be allowed that requires vehicles to remain on the site overnight.
7. All outside storage shall be prohibited from the site. Also, no derelict vehicles shall be stored on the subject property.
8. No fuel shall be dispensed on site.
9. Only automotive service and repairs as identified in this Ordinance shall be permitted on site. No general automotive repairs as defined by the code are permitted.
10. The existing greenhouse shall be removed from the subject property.
11. Approval of the proposed zoning change does not waive the requirements for all Special Use or Special Event permits to be obtained as required by law for the subject property.