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PROJECT REPORT

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TO: Planning Commission  
FROM: Matt Ament, Senior Planner  
Ted Shekell, Director of Planning and Zoning  
DATE: July 24, 2007  
SUBJECT: P2007-20: Full Circle Services & Supply

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Location: 510 S. Lincoln Avenue  
Applicant: Carlos & Carlotta Perez  
111 Cherylwood Drive  
Fairview Heights, IL 62208  
Owner: Vern & Shirley Ratliff  
107 E. 4<sup>th</sup> Street  
O'Fallon, IL 62269  
Submitted: June 22, 2007

**Project Summary**

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 property is located along the east side of S. Lincoln Avenue, between 5<sup>th</sup> and 7<sup>th</sup> Streets. The property has approximately 175' of frontage along S. Lincoln Avenue and measures 140' in depth.



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."

## **Background**

Prior to the applicant's relocating their business in 2005, the Full Circle Service and Supply, to the property at 510 S. Lincoln Avenue, the property contained a building which was used for retail purposes, a feed store and dog grooming service, and also a greenhouse. The property was originally constructed and used as an auto dealership which included a repair service garage.

The applicants continued to operate the feed store and dog grooming service. The applicant also was permitted by the zoning ordinance to install batteries, tires, lubricants, and auto accessories ancillary to the primary use of retail sale of those items. The ordinance did NOT authorize the general repair or maintenance of vehicles – that would require rezoning to B-2. Auto parts, i.e. batteries, tires were also sold; therefore their ancillary installation was permitted.

The applicant was informed prior to his occupancy of the building that general automotive repair uses, such as he performed as the Full Circle location behind Super Smokers on W. Hwy 50, were not permitted at this site on Lincoln without rezoning. Unfortunately, the applicant moved into the building without obtaining an occupancy inspection, began general automotive repairs without proper zoning authorization, and also began renting U-haul trailers and vehicles without proper zoning.

In May 2005, the applicant submitted an application to rezone the subject property from B-1 to B-2(P) and bring the site into compliance.

In July 2005, the City Council denied the applicant's requested zoned change from B-1 to B-2(P).

Currently, the applicant has re-submitted a new zone change application for a Planned Community Business District [B-1(P)] zoning for the subject property, which would allow retail and servicing of automotive accessories.

Unfortunately, the applicant's proposed use does not clearly fit the "automotive service station" definition, which specifies as "An establishment or place of business primarily engaged in gasoline or diesel fuel sales." However, the definition further states, "...and where in addition at least 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. Such use shall include establishments that provide express oil changes, and sell at retail and install new automobile audio and/or video equipment. See 'automotive repair shop' where major mechanical activities are allowed."

Based on the said definition, staff believes the proposed use fits the "automotive service station" more closely than the "automotive repair shop." The proposed use will not include repair work, such as repairs on mufflers transmissions, and engine work. The "automotive service station" use is allowed under the B-1(P) zone district, which is the applicant's proposed rezoning.

No U-haul trailers shall be rented from the subject property.

According to the site plan, the applicant does not plan to pave the graveled areas. The applicant proposes no other changes to the building at this time. The applicant intends to place evergreen trees in the rear of the property to act as a buffer to adjacent residential properties and to pave the parking areas. He does not plan to move the trailer storage in the rear.

## Existing Conditions

### Surrounding Zoning:

North: B-1  
East: SR-3  
South: B-1  
West: B-1

### Surrounding Land Use:

North: Commercial  
East: Residential  
South: Commercial  
West: Commercial

## Applicable Ordinances, Documents and Reports

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

Zoning Ordinance and Planned Use Ordinance: The proposed commercial land use is subject to Article IX Planned Uses of the Zoning Ordinance and requires a development plan. The property is also subject to the 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 General Commercial in the Comprehensive Plan. The proposed Full Circle Service & Supply business is consistent with the Comprehensive Plan. Commercial uses surround the subject property on the north, west and south sides and residential uses exist on the east side.

### Parking

A total of 12 parking spaces is required on the existing graveled lot. The site plan shall be revised to include the required 12 parking spaces, including one handicap accessible space located near the building entrance.

Based on the previous land use on the subject property, it does not appear to staff that the proposed land use warrants all of the required parking improvements, including paving and landscaping. However, the applicant will be required to pave, stripe and provide signage to the required handicap space per the Illinois Accessibility Code.

### Sidewalks

Sidewalks currently exist on the east side of Lincoln Avenue along the entire length of the subject property.

### Lighting

Parking lot lighting must provide an adequate standard of at least one foot-candle of illumination over the area of the parking area to be used. Lighting shall be designed so as not to create more than one foot-candle of illumination at any residentially zoned property boundary, or more than five foot-candles at any commercially zoned property boundary.

The applicant has indicated that no proposed parking lot lighting will be provided due to the existing street lighting near the subject property. Per the applicant, the off-site street lighting will provide sufficient parking lot lighting.

### Landscaping and Buffer Requirements

The applicant would be required to install a Structural A buffer, ten feet in width, along the east property line. Said buffer shall include one evergreen shrub planted every ten feet, at least one evergreen tree planted every 25 feet, and at least one deciduous tree planted every 50 feet.

The applicant intends to plant an evergreen tree buffer along the rear property line to buffer the adjacent residences from the commercial development. Staff recommends an alternative compliance landscape plan with six-foot tall evergreen trees planted every 15 feet in lieu of the Structural A buffer. The six-foot privacy fence shall remain in its current location.

In order to accommodate the required landscape buffer, the existing storage bin shall be removed from the site.

### Outside Storage

All outside storage shall be prohibited from the site. Also, no derelict vehicles shall be stored on the subject property.

### Building Elevations

The existing main building includes a front red brick façade and white concrete cinder block on the sides and rear. No exterior changes are proposed for the existing main building.

### Fencing

There is a wood privacy fence along the rear (east) property line. It is unclear if the fence is on the applicant's property or the adjacent property. The property also includes existing six-foot chain link fences.

### Signage

No signage was proposed with this application. However, the applicant has stated that they will propose professionally designed signage at a later date. Staff recommends that all existing and proposed signage shall be subject to review and approval through the sign permit process.

Due to the close proximity of the site to Lincoln Avenue, staff recommends no freestanding signage shall be allowed.

### Hours of Operation:

The applicant has stated their intended hours of operation. Hours of operation will be 8AM to 5PM, Monday through Saturday, which is consistent with their existing store and with the general operational times of the surrounding businesses.

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

- The proposed development conforms to the standards and principals of the Comprehensive Plan and all other adopted regulations.
- Development of this parcel, as presently shown will not impede the normal and orderly development and improvement of the surrounding property, nor impair the use, enjoyment, or value of neighboring properties.
- An identified community need exists for the proposed use.

### Recommendation

Staff recommends approval of the project with the following conditions:

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. An alternative compliance landscape plan shall be provided to indicate a row of six-foot tall evergreen trees planted every 15 feet along the rear property line and existing privacy fence.
4. The existing storage bin shall be removed from the site.
5. All existing and proposed signage shall be subject to review and approval through the sign permit process.
6. No freestanding signage shall be allowed.
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.

### **Attachments**

Attachment 1 – Application and Narrative  
Attachment 2 – Zoning Map  
Attachment 3 – Site Plan