



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: December 3, 2007

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

List of committees that have reviewed: At its meeting on November 26, 2007, the Community Development Committee recommended approval of the Planned Use rezoning for Teen Center on First Reading.

Background:

The applicant, Craig Alford, has filed an application requesting approximately 1.52 acres of land to be rezoned from B-1, Community Business, to B-1(P), Planned Community Business for the proposed use of a Teen Center. The subject property is located at 5702 Old Collinsville Road. The applicant intends to convert the existing 8,000 of the existing 10,000 sq. ft. gym into a new teen recreational center with a dance theme. The remaining 2,000 sq. ft. will be designed for office use.

The Teen Center will include a dance floor, a DJ – band booth area, video games, pool table, and air hockey games. Mr. Alford will be selling soda, candy, chips, and other snack foods to his customers. The applicant has provided a business plan, which outlines the services to be provided. The Teen Center is targeting customers between the ages of 12 to 17.

At the Community Development Committee meeting, a number of key issues were discussed:

1. Noise
2. Hours of operation
3. Traffic
4. Security

Several Aldermen discussed the amount of noise to be generated from the site. Staff requested a sound attenuation report (see attachment) from the applicant. It was noted that residential-zoned property is located directly east of the subject property. The Teen Center property owner Herb Roach indicated that the sound attenuation report proved the noise would not exceed the decibel level for traffic at 10 ft from the Teen Center. Staff raised the issue that the applicant must comply with the nuisance code regarding noise from the site.

Staff discussed the hours of operation for the recreational facility. Although staff recommended 4PM to 10PM Friday and Saturday to meet the nuisance code for noise requirements, the Planning Commission recommended 4PM to 11PM Friday and Saturday for the hours of operation. If after the facility becomes operational it is determined that the noise coming from the building is beyond what is permitted by the City's nuisance laws, then the City should consider having a provision in the ordinance that would allow for the rolling back of the hours of operation to 10:00 pm, with a vote of the Council. [if the Council agrees, this could be added as a condition of the Planned Use]

Staff has expressed concern over the amount of traffic to be generated to the site during the peak hours of opening and closing. Most of the customers under the driving age would be dropped-off and picked-up near the building. Although limited by the existing building and lot configuration, staff felt that the design of the parking lot does not produce the best traffic circulation for the proposed use. Additionally, if it becomes evident that significant traffic problems are being created on Old Collinsville Road, then at the discretion of Police Chief Betten traffic control measures may need to be implemented during peak events, with the applicant being responsible for any of the additional costs borne by the City. [if the Council agrees, this could be added as a condition of the Planned Use]

The Committee discussed security and outside loitering at the Teen Center. Staff requested that the applicant clearly indicate the number of security officers for the Teen Center. Mr. Craig Alford stated that a total of 8-10 security officers would be on-site during the hours of operation. He also added that he would not allow outside loitering.

The Committee recommended approval with a 3-2 vote.

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation: Staff recommends approval of the Planned Use rezoning for Teen Center with the following conditions:

1. Sound attenuation is verified by a design professional to be less than 65 decibels at the property line and meet the requirements of the City's 400 ft. buffer as it relates to the Nuisance Ordinance.
2. The hours of operation shall be 4PM to 11PM on Friday through Saturday and Holidays during the school year and Thursday through Saturday during the summer break.
3. A Structural A buffer, ten feet in width, along the east property line shall be installed. Said buffer shall include one evergreen shrub planted every ten feet, at least one evergreen tree planted every 25 feet, and it least one deciduous tree planted every 50 feet.
4. A 4-ft sidewalk along Old Collinsville Road shall be installed by May 2008.
5. The trash enclosure shall be constructed with vinyl fence and gate.
6. A minimum 5-ft tall vinyl fence shall be constructed to screen the AC unit from Old Collinsville Road.
7. All parallel parking spaces shall be removed from the site plan.
8. A variance is granted to allow a minimum of 86 parking spaces, rather than the required 89 spaces.
9. A variance is granted to allow the eastern side of the property to maintain a width of 7 feet from the edge of the parking lot curb to the property line for a landscape buffer, rather than the required 10 feet.
10. A variance is granted to allow the southern side of the property to maintain a width of 3 feet from the edge of the parking spaces to the property line for a landscape buffer, rather than the required 7 feet.

11. The site/landscape plan shall be revised to meet the shade tree and parking lot landscape island requirements.
12. A cross-access easement shall be recorded prior to the issuance of a Certificate of Occupancy.
13. Prior to the installation of any commercial signage, sign permits shall be issued.
14. This is a minor facility with no alcohol. If it becomes an adult facility with or without alcohol, it must come back to the City for reevaluation.