



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: July 7, 2008

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

List of committees that have reviewed: The Community Development Committee reviewed and unanimously recommended to approve the Zoning Amendment on this development at its June 23, 2008 meeting with a vote of 3-0.

Background: The applicant, Barry Glantz for Glantz & Assoc. Architects, has filed an application requesting approximately 1.66 acres of land be rezoned from B-1(P), Planned Community Business District, to B-2(P), Planned General Business District for the proposed used auto dealership facility. The property is located at 1701 W. Highway 50.

The applicant proposes to raze the existing buildings and construct a new 1,884 sq ft building and provide an outside display area for approximately 137 pre-owned cars. No vehicle repairs will be conducted on the site. Existing access points off of Highway 50 & St. Ellen Mine Road will remain. A total of 15 parking spaces are required for the customer/employee parking area, including one handicap accessible space located in front of the dealership entrance.

Planning Commission Update: The Planning Commission held a public hearing on this project on June 10, 2008. The Commission voted unanimously to accept the project report and recommend approval with the following amended conditions:

1. Waive the requirement for the cross access easement with 17th St. Bar and Grill per the Secretary of State's requirements.
2. The bollards shall be concrete-filled metal pipe with a maximum height of 30 inches and a minimum spacing of five feet around the perimeter of the site.
3. Install "Customer/Employee Parking Only" signs for the designated areas per the approved site plan.

Staff Update: Following the discussion at the Community Development Committee meeting on June 23, 2008, Attorney Dan Vogel drafted one additional condition to address the future land use of the site. Adoption of this clause, as outlined

below, will allow the City to approve the used car lot use without permanently establishing the underlying B-2 zone district for the subject property in the event of a change of use or abandonment of the approval of the used car dealership.

The Committee unanimously consented to the concept as described above, subject to Mr. Vogel's draft language. The new condition of the ordinance is underlined below.

1. This B-2(P) District shall authorize B-1 District uses and automotive sales and accessory uses as may be authorized in the B-2 District, consistent with the attached Preliminary Site Sketch (Exhibit B), but no other uses B-2(P) uses. Except as may be expressly modified herein, this development shall be subject to all requirements of the "B-1" District Regulations as applicable. In the event of a change of use from or abandonment of the existing automotive use as set forth on Exhibit B, a change of use may be authorized as provided for in Article IX of the Zoning Code for amendments to Planned Developments, provided that no use other than a B-1 use shall be authorized and the B-2(P) District designation may be rezoned by the City to B-1(P) to accurately reflect the intention of this Ordinance regarding such remaining authorized uses.

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation: Staff recommends approval of the project with the conditions outlined above.