



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: September 15, 2008

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

List of committees that have reviewed: The Community Development Committee reviewed and recommended to approve the Zoning Amendment on this development at its September 8, 2008 meeting with a vote of 3-1.

Background: The applicant, Glen Dempcy, has filed an application requesting approximately 4.63 acres of land be rezoned from SR-1, Single-Family Residence Dwelling District, to O-1(P), Planned Office District for the proposed real estate office. The property is located at 701 West State Street.

The applicant proposes to convert the existing 2,150 sq. ft. residence into a real estate office. The project will include construction of an asphalt parking lot. The existing access point off of State Street will remain. The applicant has provided the required 9 parking spaces, including 1 handicap accessible space located near the entrance to the building.

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation: In light of the input from surrounding residents and the Planning Commission's recommendation to deny the Map Amendment, staff recommends denial of the rezoning request for Dempcy Real Estate Office. In no case should the rezoning be approved without the approval of the Map Amendment.

If the City Council decides to approve the Map Amendment and this rezoning, staff recommends the following conditions:

- 1) An amendment to the 2006 Comprehensive Plan Future Land Use Map is approved to change the subject property from "Single-Family Residential" to "Office/Service."
- 2) A fee of \$5,824.00 in lieu of sidewalk construction must be submitted to the City of O'Fallon.
- 3) The buffer requirement is waived along the southern property boundary and the portion of the subject property that adjoins the small parcel to the northeast of the site. The existing mature trees along the western property line provide a sufficient buffer to neighboring residences. Therefore, further buffering is not required.
- 4) The project approval is for conversion of the existing home to the proposed office use. No other office building or development is permitted within the project area unless it is a planned use, to be reviewed by the Planning Commission and City Council.