



**CITY COUNCIL AGENDA ITEM**

**To:** Mayor Graham and City Council

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

**Date:** February 17, 2009

**Subject:** Ordinance No. \_\_\_\_\_: An Ordinance Amending Ordinance 623, Zoning Districts of the City of O'Fallon, Illinois (Planned Development known as "Zion Temple Baptist Church") – **First Reading**

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**List of committees that have reviewed:** The Community Development Committee reviewed and recommended to approve the Zoning Amendment on this development at its February 9, 2009 meeting with a vote of 5-0.

**Background:** The applicant, Pastor Lorenzo Drake for Metro East Baptist Association, has filed an application requesting approval to operate a place of formal worship at 146 Springfield Court. The rezoning would also include the parking lot to the south at 145 Springfield Ct, where the church has negotiated a parking easement as part of their sales contract. The parcel would be rezoned from "B-1" Community Business District, to B-1(P), Planned Community Business District. The Zion Temple Baptist Church currently operates at a location off of Cross Street in Shiloh.

It should be noted that the applicant discovered a section in the private covenants that governs the subject property restricting it from being used as a church. The applicant is currently working on resolving this issue. The City's actions concerning this rezoning request will not affect the outcome of this issue because it is a private matter.

**Legal Considerations, if any:** None

**Budget Impact:** None

**Staff Recommendation:** Staff recommends approval of the project with the following conditions:

1. A written shared access and joint maintenance agreement between the church and the owner of the parking lot to the south of the church building (Parcel 04-31.0-216-027) must be recorded and a copy provided to the Director.
2. The parking lots must be striped to provide the 46 parking spaces shown on the site plan.

3. Based on 46 available parking spaces, the building occupancy may not exceed 115 people at this location without an amendment to the approval. Should the parking easement and its associated shared access and joint maintenance agreement on Parcel 04-31.0-216-027 fail to be initially recorded, or after recording fail to remain in effect for whatever reason, the building occupancy for the church will be limited to 75 people.
4. Proper sound attenuation measures must be included in the building permit application.
5. The privacy fence and tree line located on the subject property and adjacent to Nancy Drive must be maintained to serve as a buffer.
6. All signage will require approval of a sign permit and must meet the standards of the Zoning Code.