



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

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

Date: July 6, 2010

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

List of committees that have reviewed: The Community Development Committee reviewed the project at their meeting on June 28, 2010, but there was no quorum present to make an official recommendation. Several business owners attended the meeting and expressed concerns about parking.

Background: The applicant, Beth Reidelberger, has filed an application requesting approval to operate a bar and grill at 113 East First Street in downtown O'Fallon. The parcel would be rezoned from "B-1" Community Business District, to B-1(P), Planned Community Business District. The bar and grill will be operated by John Schildknecht.

In addition to the bar and grill operation, Mr. Schildknecht intends to provide an outdoor seating area with alcohol sales in front of the building.

Legal Considerations, if any: None

Budget Impact: None.

Staff Recommendation: Staff recognizes that there may be conflicts from time to time between businesses downtown regarding the sharing of public parking. However, there is no provision in the Zoning Code that restricts the types of uses that may share the parking. Given that the Zoning Code allows for businesses in the downtown district to share public parking within 500 feet of the business, and given that the hours of operation for nearby businesses overlaps with Shooters Bar and Grill generally only during lunch hours, staff believes that a bar and grill is an appropriate use for 113 East First Street.

Staff recommends approval of the Planned Use Rezoning for Shooters Bar and Grill at 113 East First Street with the following conditions which were approved by the Planning Commission:

1. This Planned Use rezoning approval includes approval of an outdoor seating area with alcohol sales as shown on the attached site plan.
2. Provide portable fencing around the outdoor seating area. Fencing shall be approved by the Planning Director.
3. A Class B Liquor License will be required to serve alcohol at this location.
4. Any building modifications will require a Building Permit.
5. Temporary and permanent signage will require a Sign Permit.
6. Smoking is not permitted in the outdoor seating area.
7. Because the outdoor seating area is located on city property, liability insurance listing the City as an additional insured must be provided by the applicant. The amount must be approved by the City Attorney.
8. The area immediately adjacent to the front and rear of the subject property shall on a daily basis be maintained free of litter and debris associated with Shooters Bar and Grill.
9. Wall signage on the front and rear of the building are permitted in accordance with the City's Sign Regulations.
10. Dancing accommodations are not permitted as part of this approval.
11. Ancillary gaming devices are permitted.
12. The existing 2 hour parking limitation on First Street shall be strictly enforced by the City.