

ORDINANCE NO. _____

**An Ordinance Amending
Ordinance 623, Zoning
Districts of the City of
O’Fallon, Illinois
(Planned Use
Development known
as “Gator’s Drive-thru”
Parcel Number
04-30.0-423-003)**

WHEREAS, the petitioner, K&R Land Trust: William Reidelberger, President, is requesting 0.37 acres of land located at 406 West Highway 50 in O’Fallon, IL be rezoned from B-1, Community Business, to B-1(P), Planned Community Business pursuant for the proposed development shown on the attached Preliminary Site Plan (Exhibit B); and

WHEREAS, the petitioner filed an application with the Planning Commission of the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws, including City Ordinance 2052, “Planned Uses,”; and

WHEREAS, said Planning Commission of the City of O’Fallon, Illinois held a public hearing on May 11, 2004 in accordance with state statute, and voted 9-0 to approve the petitioner’s request to obtain B-1(P) District zoning for the property subject to the conditions as outlined in the adopted Planning Commission Report, attached hereto and declared to be an inseparable part hereof (Exhibit A);

WHEREAS, the Community Development Committee of the City Council reviewed this project on May 18, 2004, and recommended approval of the Preliminary Site Plan with conditions by a vote of 5-0; and

WHEREAS, the applicant has agreed to develop the property and buildings in accordance with the attached Preliminary Site Plan, along with the building types and materials included in Exhibit B, and consistent with the recommendations of staff, and all applicable laws, including City Ordinance 2052 regulating Interim Planned Uses, in a manner considerate of adjoining properties, and to protect the general public safety, health, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O’FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:

Section 1. Approval of the Zoning Amendment and Preliminary Site Plan. That upon the effective date of this Ordinance, the described property, known as “Gator’s Drive-thru” Planned Use, be henceforth classified as zoning district B-1(P), Planned Community Business from its present B-1 zoning designation and that said development be approved as a Planned Development and constructed in accordance with the proposed Preliminary Site Plan and the conditions set forth in Exhibit A.

Section 2. Filing. A Certified Copy of this ordinance, with all referenced attachments, shall be

filed with the City Clerk's office of the City of O'Fallon, Illinois.

Section 3. Passage. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council this _____ day of _____.

ATTEST:
 (seal)

Approved by the Mayor this _____ day
 of _____.

 Philip A. Goodwin, City Clerk

 Gary L. Graham, Mayor

ROLL CALL:	Albrecht	Bennett	Bequette	Drolet	Grogan	Horton	Medford	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Boone	Mouser	Reckamp	Henry	Renner	True	West	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									