

ORDINANCE NO. _____

**An Ordinance Amending
Ordinance 623, Zoning
Districts of the City of
O'Fallon, Illinois
(Planned Use
Development known as
"Waterfall Business
Park" Parcel Number
03-36.0-300-006)**

WHEREAS, the petitioners, Scott and Jennifer Martin, are requesting 2.69 acres of land located at 1202 Frank Scott Parkway East in O'Fallon, IL be rezoned from A, Agriculture, 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 6-1-1 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 City finds that consistent, uniform access to and maintenance of all parking, driving, landscaping, and drainage areas, is crucial to the effective operation of this project and should have covenants and maintenance agreements requiring joint access to and maintenance of said facilities; 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 "Waterfall Business Park" Planned

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