

ORDINANCE NO. _____

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois [Amendment to Planned Use
Development known as “Little Gym’s”
Parcel Number (03-25.0-300-020)]**

WHEREAS, the applicant, HW Investment Group, Inc.; requested 1.9 acres of land located at 210 Hartman Lane in O’Fallon, IL be rezoned from B-1, Community Business, to B-1 (P), Planned Community Business pursuant to constructing a 13,122 square feet retail center known as “Little Gym’s” and shown on the attached Preliminary Site Plan (Exhibit B); and

WHEREAS, on April 19th, 2004, the City Council adopted Ordinance No. 3246, approving the B-1(P), Planned Community Business zoning for the property; and

WHEREAS, the applicant has filed an application with the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws, including City Ordinance 2052, “Planned Uses” to amend the Planned Use Development known as “Little Gym’s”; and

WHEREAS, said Planning Commission of the City of O’Fallon, Illinois held a public hearing on April 12, 2005 and continued the hearing on May 10, 2005, in accordance with state statute, and recommended to approve the petitioner’s request to amend the B-1(P) District zoning for the property subject to the conditions as outlined in the reports from the Planning Commission, Community Development Committee, and City Council reports, attached hereto and declared to be an inseparable part hereof (Exhibit A);

WHEREAS, on May 23, 2005, the Community Development Committee of the City Council reviewed and recommended the project for approval with certain conditions as outlined in Section 1 of this ordinance; 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 “Little Gym’s” Planned Use, be amended from its B-1(P) Planned Community Business designation and that said development be permitted to be constructed in accordance with the proposed Preliminary Site Plan and the conditions set forth in Exhibit A. The terms and conditions of the approval are as provided in the attachments and include the following conditions:

1. The restaurant space is approved to a maximum of 4,000 sq. ft.,
2. Regarding the hours of operation, the center will be closing at 11:00 PM daily.
3. The ATM location will be replaced by the additional parking required by this ordinance only if the restaurant option is implemented.
4. Additional landscaping will need to be installed along Hartman Lane to screen headlights. This will take the form of a hedge or berming.
5. The cross-access easement will be required to be re-located to allow for perpendicular access with Sunrise Center II. The southern entrance on Holland’s property will also be widened to 30’ to better accommodate traffic flow. Both conditions are required regardless of whether a restaurant is provided or not.

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	Schmidt	Medford	SUB TOTALS
Aye								
Nay								
Absent								

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

I:\ZONEFILE\PC and ZBofA\Petitioner Files\Amendment to Little Gym's (P2005-07) Ordinance 6-6-05.doc