

ORDINANCE NO. _____

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois (Planned Use Development
known as “McMillin Realty Inc.”
at 1317 W. Highway 50)**

WHEREAS, the applicant, Bradley McMillin of McMillin Realty inc., proposes to convert the residence into office space at 1317 W. Highway 50, and has requested and heretofore filed a petition with the Planning Commission of the City of O’Fallon for a zoning change from SR-2, Single-Family Residential, to B-1(P), Planned Community Business District, pursuant to the proposed development shown on the attached Preliminary Site Plan (Exhibit B); 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”; and

WHEREAS, said Planning Commission of the City of O’Fallon, Illinois held a public hearing on August 9, 2005, in accordance with state statute, and recommended to approve the petitioner’s request to obtain to B-1(P), Planned Community Business 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 August 22, 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 “McMillin Realty Inc.” Single-Family Residential, be henceforth classified as zoning district B-1(P) Planned Community Business District, from its present SR-2 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. The terms and conditions of the approval are as provided in the attachments and include the

following conditions:

1. The parking spaces are amended to meet the 10' x 19' parking dimension requirement.
2. The property is limited to office use and shall not be used for retail use, unless additional parking is provided in accordance with the City Zoning Ordinance.
3. Should the hours of operation change, either by this or any subsequent occupant, the necessary lighting requirements should be re-evaluated.
4. The fence requirement on the west property will be waived in this case and a landscape buffer along the west property line will be required only along the parking lot area
5. Any free standing sign will be limited to a monument- style not exceeding 8' high and will be consistent with other monument signs in that area.

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									