

ORDINANCE NO. _____

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois (Planned Use Development known
as “Home Depot 1706 W. Highway 50)**

WHEREAS, the applicant, Steve Chittenden, Home Depot, proposes to add a display area to the Home Depot parking lot at Home Depot 1706 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 B-1, Community Business District, 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 November 22, 2005, in accordance with state statute, and voted 6 ayes and 1 nay, recommending to approve the petitioner’s request to obtain to B-1(P), Planned Community Business District, 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 November 28, 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 “Home Depot” B-1, Community Business District, be henceforth classified as zoning district B-1(P) Planned Community Business District, 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. The terms and conditions of the approval are as provided in the attachments and include the following conditions:

1. A bollard or other barricade should be installed at the opening to the display area.
2. The striped driving lanes to the north and south of the display area should prohibit vehicular movement and should be restricted to pedestrians and Home Depot service vehicles only.
3. Storage of display items or other materials around the perimeter of the Home Depot site and adjacent to other parcels or roadways is restricted.
4. The two proposed landscaped islands to the south should be a minimum of 7' in width, with appropriate tree plantings.
5. The display area will be confined to the area identified in this approved site plan.
6. Cross-access aisles to the east with the Wal Mart Super Center must be maintained open.
7. The storage units adjacent to the driving aisles running north and south should be moved 5' closer to the interior of the 90' x 90' space to provide a minimum 5' buffer along the edge of the driving aisles for safety purposes. A safety chain should also be provided between units to help ensure customer safety

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									