

ORDINANCE NO. _____

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois (Planned Use Development known
as “Market Basket”**

WHEREAS, the applicant, Jason Stevens of Market Basket, LLC., proposes to rebuild the market Basket store at 1700 E. Hwy. 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 (lots 7 and 9), Community Business District, and B-2 (lot 8), General Business District to B-2(P), Planned General 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 December 13, 2005, in accordance with state statute, and recommended to approve the petitioner’s request to obtain to B-2 (P), Planned General 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 on December 19, 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 “Market Basket, LLC” B -1 & B -2, be

henceforth classified as zoning district B-2 (P) Planned General Business District), from its present B-1 & B-2 zoning designations 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) Sidewalks shall be provided along Shiloh Road, E. Hwy. 50, and Corporate Crossing.
- 2) IDOT Permit for grading in the ROW of Hwy 50 will be required at time of construction
- 3) Street Trees need to be provided around the perimeter of parking and driving areas, per the City of O'Fallon ordinances
- 4) Landscaping along the interconnected concrete storage bins along Corporate Crossing needs to be moved off the 15' waterline easement.
- 5) Move water service coming off Arbor Parkway out of the driving aisle and into landscaped area.
- 6) The shed in the southeast corner of the property will remain into the near future. It is currently being leased to Dave Frost, previous owner of Girard's Nursery, site of the now present Market Basket.
- 7) The grading for the site along Corporate Crossing needs to be cut down another 1'-2' to reduce the unusual grade. At the present height, the top of the concrete bins along Corporate Crossing will be approximately 9', which staff believes will be out of character and scale for the development and surrounding parcels.
- 8) Once Lot 9 is cleared during Phase II, it will be used to display plants. All landscape materials on the entire site will be organized into the concrete bins located on the south side of the property.

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									