

ORDINANCE NO. _____

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois (Development known as “Aldi
Grocery Store,” Parcel Numbers
03-26.0-300-013 and 03-26.0-300-039)**

WHEREAS, the applicant, Louis Ross for Aldi, Inc., proposes to develop a grocery store on 1.66 acres of land located on the southwest corner of West Highway 50 and St. Ellen Mine Road; and

WHEREAS, the applicant has requested and heretofore filed a petition with the City of O’Fallon for a zoning change from B-2 General Business District to B-1(P) Planned Community Business District, pursuant to the proposed development shown on the attached Preliminary Site Plan (Exhibit A); 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 14, 2006, in accordance with state statute, and recommended to approve the petitioner’s request to obtain B-1(P) Planned Community Business District zoning for the property with a vote of 7-ayes to 0-nays subject to conditions as outlined in the adopted Planning Commission Report, attached hereto and declared to be an inseparable part hereof (Exhibit B); and

WHEREAS on November 27, 2006 and December 14, 2006 the Community Development Committee of the City Council reviewed and recommended the rezoning for approval.

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. That upon the effective date of this Ordinance, the described property, known as “Aldi Grocery Store”, be henceforth classified as zoning district B-1(P) Planned Community Business District as shown on the attached Exhibit A and with the conditions as listed below:

1. The site will have underground detention, as shown on the preliminary site plan.
2. The applicant will construct one monument sign 6’ wide by 7’ high.
3. Aldi will add a left and right turn lane onto the entrance of St. Ellen Mine Road at W Hwy 50.

4. A cross-access easement will be recorded on the Aldi property to serve the adjacent parcel to the west (old Super Smokers site)
5. Aldi will grant to the City a 15' utility easement along the frontage of St. Ellen Mine Road to allow for construction of a waterline extension. Aldi will be required to bore W. Hwy 50 to construct a waterline and fire service line along with 2 fire hydrants. Aldi's will also construct a waterline along their St. Ellen Mine road frontage.
6. All HVAC rooftop units are to be screened from the public ROW.
7. Sidewalk will be constructed along St. Ellen Mine Road.

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									