

ORDINANCE NO.

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois (Development known as “Regency
Park South,” Parcel Number
03-36.0-204-001)**

WHEREAS, the applicant, Darrell Shelton for D & D Lodging, LLC, proposes to construct two hotels and a conference center on Lot 12 of The Shoppes at Green Mount, a 13.24 acre parcel of land at the northwest corner of Regency Park Drive and North Green Mount Road; and

WHEREAS, the applicants have requested and heretofore filed a petition with 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 A); and

WHEREAS, the applicant has requested that a variance be granted by the City Council to the landscaped strip requirements on the Hampton Inn, as indicated on the attached preliminary site plan (Exhibit A), and the City Council has determined that such a variance to the landscaped strip requirements is reasonable; 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 April 24, 2007, 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 8-ayes to 0-nay 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 May 14, 2007 and May 29, 2007 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 “Regency Park South”, 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. All parking spaces are to be 10 ft wide and 19 feet long, in accordance with Article XI Parking and Loading Requirements.
2. A variance is granted to the landscaped strip requirements on the Hampton Inn as noted in the report.
3. An annexation agreement shall be reached between the City and developer to annex those portions of the development not presently in the city limits, including the detention pond and parking on the Hilton Garden Inn.
4. The detention pond shall be placed in common ground as an outlot.
5. Signage shall be as proposed on the site plan and in the annexation agreement.
6. A cross-access and shared parking easement and a shared parking and joint maintenance agreement between all four proposed lots must be recorded and approved by the City as part of the final subdivision plat.
7. A master plan for the streetscape, lighting and signage will be proposed by the applicant. This master plan will be reviewed by the City before final approval of the streetscape, lighting and signage. The City Council reserves the right to provide final approval of the master plan for the streetscape, lighting and signage for the parcels along Regency Park Drive.
8. No drive-through facilities shall be permitted by this Planned Development ordinance, and any future request for such facilities shall require amendment of this Ordinance in conjunction with submission of a revised Preliminary Site Plan.
9. Building materials and design shall be consistent with the architectural elevations attached hereto.
10. Landscaping shall be as approved on a separate landscape plan approved as a condition of the Final Site Plan.
11. The proposed Outlot along Regency Park Drive is not approved for a use at this time. Any subsequent use for this parcel must be considered as a Planned Use.

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.

