

**ORDINANCE NO.**

**An Ordinance Amending Ordinance 623,  
Zoning Districts of the City of O’Fallon,  
Illinois (Development known as  
“Green Mount Corporate Center Phase 2,”  
Parcel Number 03-36-0-203-007)**

**WHEREAS**, the applicant, Donald C. Land, BBA Acquisition Company, is requesting to provide an office building and a retail building located at Lot 6A of the Shoppes at Green Mount and the applicant proposes to rezone the property from B-1 (P) to B-1(P), Planned Community Business District, pursuant to the proposed development shown on the attached Preliminary Site Sketch (Exhibit B); and

**WHEREAS**, the applicant has requested and heretofore filed a petition with the City of O’Fallon for a zoning change from B-1 (P) Planned 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 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 October 9, 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-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 October 22, 2007 and November 12, 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 “Green Mount Corporate Center Phase 2”, 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. 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.
2. Prior to the issuance of any building permit within this PUD District, Owner or Developer within this PUD District shall pay \$20,000 in non-refundable funds to the City to be held by the City in escrow and withdrawn by the City to pay for installation of period street lights and ornamental planters along Regency Drive along the length of the property line adjacent thereto, and for such other related costs as the City may construct or, at its option, elect to contribute to in conjunction with future development of adjacent and nearby properties. Nothing herein shall relieve the Developer of obligations as may otherwise exist for landscaping or other improvements required in conjunction with this PUD or the underlying subdivision.
3. A variance is proposed for relief from the requirement for a 7 ft landscape median break in the shared parking area between Buildings A & B with tree planting every 50 ft. The applicant proposes removing the 7 ft planting strip but still planting a tree every 50 ft in curbed diamonds.
4. A variance is proposed for relief from the requirement for parking rows to be interrupted by an intermediary landscaped island every twenty (20) contiguous, side by side spaces, with the island meeting the minimum landscape area, width and tree count as identified in the zoning ordinance.
5. The landscape plan shall be revised and submitted to reflect the current site design layout.
6. A cross-access and shared parking easement and a shared parking and joint maintenance agreement (including landscaping) between Lots 5 & 6 must be recorded as a condition of zoning approval and of building permit issuance.
7. Prior to the issuance of a Certificate of Occupancy for the office building (Building B), all parking spaces on Lots 5A and 6A shall be striped per the approved plan.
8. Building materials and design shall be consistent with the architectural elevations attached hereto.
9. The fabric awnings on the retail building shall be properly maintained in its original state.
10. As approved by the Annexation Agreement, a 30' by 15' freestanding sign is proposed at the southwest corner of Green Mount Road and Regency Park Drive. The remaining proposed signs include: a 15' by 12' freestanding sign at the northeast corner of Lot 5A along Green Mount Road; a 7' 6" by 8' monument sign at each of the two access drives from Regency Park Drive; and a 5' 8" by 6' monument sign at each of the two office buildings. Details of the proposed signage are attached.

**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 November 2007.

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ATTEST:  
(seal)

Approved by the Mayor this \_\_\_\_\_ day  
of November 2007.

\_\_\_\_\_  
Philip A. Goodwin, City Clerk

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Gary L. Graham, Mayor

ROLL CALL:	Albrecht	Bennett	Polites	N. Drolet	Grogan	Schmidt	Medford	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Engler	Mouser	Reckamp	J. Drolet	Renner	True	West	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									