

ORDINANCE NO.

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois (Development known as
“Outlaw Blues Restaurant,”
Parcel Number 03-36.0-102-014)**

WHEREAS, the applicant, Dave Kunkel, Outlaw Blues, is requesting to provide a restaurant located at 1400 Central Park Circle and the applicant proposes to rezone the property from B-1 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 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 “Outlaw Blues”, 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 applicant shall integrate a minimum of two brick-outlined windows on the east elevations. The appearance of the frame for the “bricked-up” windows should be designed and constructed with the same architectural treatment given to the proposed windows on the remaining building elevations. The “bricked-up” area of the windows should include a different colored brick material to give the appearance of an old commercial building conversion.
2. A revised landscape plan shall be provided to include a minimum of one deciduous tree on each single landscape island per the Zoning Code of Ordinances.
3. Prior to the issuance of a certificate of occupancy, two vertical “No Parking” signs shall be installed near the “Delivery Zone” paved area on the east side of the building.
4. Prior to the installation of any commercial signage, sign permits shall be issued.
5. Open-air outdoor seating with alcohol sales is permitted as shown on the attached site plan.

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.

ATTEST:
(seal)

Approved by the Mayor this ____ day
of November 2007.

Philip A. Goodwin, City Clerk

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									