

**ORDINANCE NO.**

**An Ordinance Amending Ordinance 623,  
Zoning Districts of the City of O’Fallon,  
Illinois (Development known as  
“Noles Properties Retail Building,”  
Parcel Numbers 03-26-0-300-013 and -039)**

**WHEREAS**, the applicant, Steve Noles for Cottonwood Square, LLC, is requesting to construct a retail building located at 1701 West Highway 50 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-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 3471, “Planned Uses”; and

**WHEREAS**, said Planning Commission of the City of O’Fallon, Illinois held a public hearing on November 13, 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 November 26, 2007 and December 13, 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 “Noles Properties Retail Building”, 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. Awnings are to be continually maintained in “as new” condition.

2. An easement plat showing all required easements must be submitted to and approved by the City, and recorded by the applicant, prior to issuance of the building permit for the retail building or issuance of any infrastructure permit for this development, as a condition of this rezoning.

**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 December 2007.

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ATTEST:  
(seal)

Approved by the Mayor this \_\_\_ day  
of December 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									