

**ORDINANCE NO.**

**An Ordinance Amending Ordinance 623,  
Zoning Districts of the City of O’Fallon,  
Illinois (Development known as “Dickerson  
Petroleum,” Parcel Number  
03-36.0-204-006)**

**WHEREAS**, the applicant, Steve Dickerson for Dickerson Petroleum, Inc., proposes to construct a gas station and convenience store at 1401 North Green Mount Road in O’Fallon; 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 3471, “Planned Uses”; and

**WHEREAS**, said Planning Commission of the City of O’Fallon, Illinois held a public hearing on April 8, 2008, in accordance with state statute, and recommended against the petitioner’s request to obtain B-1(P) Planned Community Business District zoning for the property with a vote of 3-ayes to 3-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 May 12, 2008, the Community Development Committee of the City Council reviewed and made no recommendation; and

**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 “Dickerson Petroleum”, 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) Eliminate the right-in only curb cut off of Regency Park Drive due to lack of access management and poor intersection spacing
- 2) No left turn on the access road extending from Regency Park Drive to at least 40 feet north of the first internal drive intersection to reduce potential traffic backups.
- 3) Increase the southeast corner radius at the intersection of Regency Park Drive and the access driveway, and widen the access driveway width to keep truck traffic from encroaching on adjacent drive aisles.
- 4) Design the improvements to the southeast corner of the site so they can bear the weight of a loaded semi-truck in case over-tracking occurs. Eliminate grass and other landscaping in this area.
- 5) The applicant will construct one monument sign with a sign area not to exceed 60 sq. ft. in accordance with the annexation agreement governing this property. All dimensions must meet the City's Sign Ordinance. The sign face will be completely surrounded by brick. Signage will require a separate sign permit.
- 6) All HVAC rooftop units are to be screened from the public ROW by materials that will blend in with the roof materials.
- 7) A master streetscape plan is required for the Shoppes at Green Mount development and is to be submitted to the City for its review and approval by Darwin Miles and coordinated with the property owners along Regency Park Drive; however, this plan has not been submitted to the City to date. Should the master plan be submitted and approved prior to final site plan approval for this project, this project will be subject to its requirements.
- 8) The landscaping on the northern property line must be coordinated with the approved development to the north.
- 9) Engineered plans must be submitted for any portion of the retaining wall proposed on the north of the site that exceeds 4 feet in height.
- 10) No neon accents will be permitted on the site.
- 11) Canopy lighting and scale are a concern as to impact on neighboring residential properties. Canopy lighting must be shielded and recessed.
- 12) Enter into a maintenance agreement with adjacent property owner(s) for the continued maintenance of the rear access driveway to the west of the subject property.
- 13) The applicant will be responsible for making contribution toward his reasonable portion of the cost of the rear access driveway's construction.

**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.

