

ORDINANCE NO.

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O'Fallon,
Illinois (Development known as
"Car Credit City,"
Parcel Numbers 03-26-0-300-013 and -039)**

WHEREAS, the applicant, Barry Glantz for Glantz & Assoc. Architects, is requesting to provide a used car dealership for Car Credit City located at 1701 W. Hwy 50 and the applicant proposes to rezone the property from B-1(P) to B-2(P), Planned General 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-2(P) Planned General 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 June 10, 2008, in accordance with state statute, and recommended to approve the petitioner's request to obtain B-2(P) Planned General 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 June 23, 2008 and July 14, 2008 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 One. The Zoning Ordinances of the City of O’Fallon, including the accompanying Official Zoning Map made a part thereof are hereby amended to change the zoning district classification from B-1(P) to B-2(P), Planned General Business District as the zoning, subject to the additional conditions set forth in this ordinance, for the following land within the City of O’Fallon, St. Clair County:

“Car Credit City,” Parcel Numbers 03-26-0-300-013 and -039

Section Two. The zoning authority and approval embodied in this Ordinance is granted subject to compliance with the ordinance regulations of the City, including the Zoning Ordinance, subdivision and development regulations and all other applicable City ordinances, rules and regulations and the conditions of this ordinance and the attached Preliminary Site Plan, except as may be expressly modified herein, upon the requirement that the development and plan are carried out in accordance with the recommendation forwarded to the City Council by the Planning Commission and any conditions set forth by the City Council as follows:

1. This B-2(P) District shall authorize B-1 District uses and automotive sales and accessory uses as may be authorized in the B-2 District, consistent with the attached Preliminary Site Sketch (Exhibit B), but no other uses B-2(P) uses. Except as may be expressly modified herein, this development shall be subject to all requirements of the “B-1” District Regulations as applicable. In the event of a change of use from or abandonment of the existing automotive use as set forth on Exhibit B, a change of use may be authorized as provided for in Article IX of the Zoning Code for amendments to Planned Developments, provided that no use other than a B-1 use shall be authorized and the B-2(P) District designation may be rezoned by the City to B-1(P) to accurately reflect the intention of this Ordinance regarding such remaining authorized uses.
2. The City hereby authorizes the City Engineer to hereinafter waive the requirement for the cross-access easement with 17th St. Bar and Grill per the Secretary of State’s requirements; provided that such requirement is determined by the City Engineer to be a lawful and enforceable requirement that may be safely implemented.
3. The required bollards as shown on Exhibit A shall be concrete-filled metal pipe with a maximum height of 30 inches and a minimum spacing of five feet around the perimeter of the site.
4. The property owner shall install “Customer/Employee Parking Only” signs for the designated areas per the approved 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 _____ 2008.

ATTEST:
(seal)

Approved by the Mayor this ___ day
of _____ 2008.

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									