

ORDINANCE NO.

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O’Fallon,
Illinois (Development known as “Bank of
America ATM,” Parcel Number
03-26.0-201-006)**

WHEREAS, the applicant, Simon Property Group (Illinois), L.P., proposes to construct a freestanding ATM kiosk at Lincoln Crossing shopping center 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 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 August 26, 2008, 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 6-ayes to 0-nay 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 September 8, 2008 and September 22, 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 1. Approval of the Zoning Amendment. That upon the effective date of this Ordinance, the described property, known as “Bank of America ATM”, be henceforth classified as zoning district B-1(P) Planned Community Business District as shown on the attached Exhibit A.

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

