

ORDINANCE NO.

**An Ordinance Amending Ordinance 623,
Zoning Districts of the City of O' Fallon,
Illinois (Development known as "Eternal
Hope Church of the Living God," Parcel
Number 04-32.0-301-001)**

WHEREAS, the applicant, Bryant D. Calloway for Eternal Hope Church of the Living God, has filed an application requesting approval to operate a place of formal worship at 1400 South Lincoln Avenue, Suite C 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; 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 February 10, 2009, 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-nay subject to conditions as outlined in the adopted Planning Commission Report, attached hereto and declared to be an inseparable part hereof (Exhibit A); and

WHEREAS on February 23, 2009 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 "Eternal Hope Church of the Living God", be henceforth classified as zoning district B-1(P) Planned Community Business District with the following conditions:

1. The occupancy for the space used for the church may not exceed 49 persons at this location.
2. The applicant must submit proof of verification from a design professional that building occupancy will not exceed 49 persons.
2. Proper sound attenuation must be verified before a Certificate of Occupancy is issued.

