

ORDINANCE NO. _____

**APPROVING A PLANNED DEVELOPMENT DISTRICT
P-BP-3 PLANNED BUSINESS PARK DISTRICT
(*Laura Buick GMC Temporary Overflow Storage/Parking Lot*)**

AN ORDINANCE AMENDING THE ZONING OF LAND WITHIN THE CITY OF COLLINSVILLE AND REQUIRING CERTAIN CONDITIONS WITHIN SAID PLANNED DISTRICT.

WHEREAS, Laura Buick GMC, owner, has filed with the City of Collinsville, Illinois an application for amending the zoning of unaddressed real estate located to the west of property located at 903 North Bluff Drive, Collinsville, Illinois, from BP-3 Business Park District to P-BP-3 Planned Business Park District for the currently vacant land described herein.

WHEREAS, prior to the presentation of this ordinance to the City Council, all hearings required to be held took place pursuant to proper legal notice, and all petitions, documents and other necessary legal requirements were fulfilled in compliance with the law in such cases made and provided, including Title 17 of the Collinsville Municipal Code and Section 5/11-13-14 of the Illinois Municipal Code.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COLLINSVILLE, ILLINOIS, as follows:

Section 1: The City of Collinsville Zoning Ordinance and the Official Zoning District Maps, which are part thereof, are hereby amended to establish this P-BP-3 Planned Business Park District. A description of the subject site is as follows:

A tract of land being Lot I of "FINAL PLAT FOR ADVANCED RECORD MANAGEMENT, being a subdivision in the Southwest 1/4 and Southeast 1/4 of Section 20, Township 3 North, Range 8 West of the Third Principal Meridian, City of Collinsville, Madison County, Illinois"; reference being had to the plat being recorded in the Madison County Recorder's Office in Plat Cabinet 65, Page 91 and Lot 2B of "ADVANCED RECORD MANAGEMENT (RESUBDIVISION), being a subdivision of Lot 2 of the Final Plat for Advance Record Management in the Southwest 1/4 and Southeast 1/4 of Section 20, Township 3 North, Range 8 West of the Third Principal Meridian, City of Collinsville, Madison County, Illinois"; reference being had to the plat being recorded in the Madison County Recorder's Office in Plat Cabinet 65, Page 284 and being more particularly described as:

BEGINNING at the Southeast corner of said Lot 1 of "FINAL PLAT FOR ADVANCED RECORD MANAGEMENT; thence along the boundary lines of said Lot 1 of "FINAL PLAT FOR ADVANCED RECORD MANAGEMENT and Lot 2 of the Final Plat for Advance Record Management the following courses and distances:

North 88 degrees 20 minutes 53 seconds West for a distance of 283.39 feet to a point.

Thence, North 01 degrees 42 minutes 22 seconds East for a distance of 280.17 feet to a point.

Thence, South 88 degrees 18 minutes 50 seconds East for a distance of 1245.27 feet to a point.

Thence, South 01 degrees 40 minutes 14 seconds West for a distance of 549.54 feet to a point.

Thence, North 88 degrees 20 minutes 45 seconds West for a distance of 619.86 feet to a point.

Thence, South 01 degrees 41 minutes 46 seconds West for a distance of 315.03 feet to a point.

Thence, North 88 degrees 20 minutes 11 seconds West for a distance of 310.45 feet to a point.

Thence, North 01 degrees 41 minutes 10 seconds East for a distance of 255.11 feet to a point.

Thence, North 88 degrees 24 minutes 18 seconds West for a distance of 75.02 feet to a point.

Thence, North 01 degrees 40 minutes 38 seconds East for a distance of 254.91 feet to a point.

Thence, South 88 degrees 24 minutes 26 seconds East for a distance of 43.28 feet to a point.

thence North 01 degrees 41 minutes 31 seconds East a distance of 75.06 feet to the POINT OF BEGINNING and containing 719,035 square feet or 16.51 acres more or less.

Section 2: That the City Clerk is hereby authorized to note the zoning grant made by this Ordinance upon the official zoning map of the City.

Section 3: That the authority granted pursuant to the City of Collinsville Zoning Ordinance and approval provided in this Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendation to the City Council, which are set out in the "Attachment A" which is attached hereto as and made part of.

Section 4: All ordinances, or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

Section 5: That this Ordinance shall take effect upon its passage, approval and publication in pamphlet form, as provided by law.

PASSED by the Council and Approved by the Mayor on _____, 2016.

Ayes:

Nays:

Absent:

Approved: _____, 2016.

John Miller, Mayor

ATTEST:

Kimberly Wasser, City Clerk

ATTACHMENT A

All provisions of the City of Collinsville Code of Ordinances shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. Permitted uses for this planned district shall be in accordance with the corresponding use permissibility of the “BP-3” Business Park District per Section 17.050, Use Regulations (Table 5) of the City of Collinsville Zoning Code.

B. SPECIAL USES

1. Special uses for this planned district shall be allowed in accordance with Section 17.050, Use Regulations (Table 5) of the City of Collinsville Zoning Code. Special Use permits may be authorized in accordance with Section 17.100, Special Use Permits.

C. ACCESSORY USES

1. Accessory uses clearly associated with and supplementary to the principal use of the lot or tract of land shall be permitted in accordance with Section 17.050, Use Regulations, and per the requirements contained in Section 17.060, Supplementary District Regulations. The accessory use for this development shall be limited to the use of drive-through facilities as associated with the principal use of the property.

D. PLANNED USES

1. For the term of this ordinance, Laura Buick GMC shall solely be permitted the temporary planned use of the site as a parking lot (NAICS Code 81293 Parking Lots and Garage). Such use shall not be transferable; and shall be permitted only as described and issued in this ordinance.

E. YARD REGULATIONS

1. Upon re-development and/or at the expiration of the term of this ordinance, the requirements set forth in this P-BP-3 Planned Business Park District shall be consistent with the provisions set forth in Section 17.040.210, Subsection G, Yard Regulations.

F. PARKING REGULATIONS

1. Upon re-development and/or at the expiration of the term of this ordinance, parking shall comply with the provisions set forth in Section 17.070, Off Street Parking and Loading Requirements.

G. SIGNAGE

1. Upon re-development and/or at the expiration of the term of this ordinance, signage shall comply with the provisions set forth in Section 17.190.

H. LANDSCAPING, BUFFERING & SCREENING

1. Upon re-development and/or at the expiration of the term of this ordinance, landscaping shall comply with the provisions set forth in Section 17.080, Landscaping, Screening & Buffering.

II. TEMPORARY USE DESIGN CRITERIA

A. LIGHTING AND UTILITY STANDARDS

1. Lighting & Utility Standards shall be waived for the term of this temporary use.

B. PARKING REGULATIONS

1. Existing gravel shall be permitted as an acceptable parking surface for the term of this temporary use; the gravel parking surface shall be maintained in a safe and functional manner by the Lessee.
2. Parking stalls: number, location and design shall be waived for the term of this temporary use.
3. Said allowable parking shall be limited to new vehicle inventory only.

C. SIGNAGE

1. No signage shall be permitted for the term of this temporary use.

D. LANDSCAPING, BUFFERING & SCREENING

1. The provisions set forth in Section 17.080, Landscaping, Screening & Buffering Standards shall be waived for the term of this temporary use.

E. TEMPORARY STRUCTURES

1. No temporary structures shall be permitted for the term of this temporary use.

III. LIMITATIONS

- A.** This P-BP-3 Planned Business Park District shall be authorized for a period not to exceed 3 years from the date of ordinance authorization. Upon expiration of the 3-year period the petitioner may make written request to the Community Development Director for an extension of the term of use for a period not to exceed 1 additional year in duration. In determining the appropriate extended term of use or whether said use should be continued, the Community Development Director shall re-evaluate the use, considering the guidance of the Comprehensive Plan, the Zoning Code, the performance and operational criteria of the applicant with the requirements of this ordinance as well as any other code and ordinance requirements, and potential or impending development in the area. Upon expiration or abandonment of this ordinance the zoning designation of the property shall revert back to the underlying zoning designation of BP-3 Business Park.

- B.** The continuation of the use(s) permitted by this ordinance shall be dependent upon the conditions established within this ordinance. In the event of a change of conditions or non-compliance with conditions, the City Council shall have the authority to cause the revocation of this Planned District Ordinance upon recommendation of the Community Development Director and after affording the petitioner the right to be heard.
- C.** The conditions contained within this ordinance shall be reviewed by the Director of Community Development at the end of the first year of operation to evaluate operating and performance standards, as well as any violations or complaints received related to this use. Where a problem is found to exist, the Director shall notify the petitioner who, in turn, shall propose appropriate remediation measures. Where such measures dictate changes to the relevant conditions of this ordinance, the Director shall recommend to the Planning Commission an amendment to the ordinance. After affording the petitioner the right to be heard, the Planning Commission shall make a recommendation to the City Council for consideration.

IV. ORDINANCE ABANDONMENT, REVOCATION, OR EXPIRATION

- A.** Upon abandonment of this ordinance by Laura Buick-GMC as the sole operator, revocation of this ordinance by the City of Collinsville, or expiration of the term herein described, Laura Buick-GMC as the sole operator shall be required, at their sole expense, to remove all temporary improvements installed on the property, including but not limited to the gravel parking surface, and the property shall be restored to an agrarian state to the satisfaction of the Director of Community Development. Abandonment, in the context of this ordinance, shall mean non-use of the property per the conditions of this ordinance for a period exceeding sixty (60) days. After sixty (60) days of non-use, the City Council may revoke this ordinance upon recommendation of the Community Development Director, and the zoning of the property shall revert to the zoning in place prior to the approval of this ordinance, which shall be BP-3 Business Park District after the operator/owner has been afforded the right to be heard.

V. SITE PLAN REQUIREMENT

- A.** This P-BP-3 Planned Business Park District shall not require a site plan, per Section 17.120, Site Plan Review, of the Zoning Code, due to temporary nature of the approved use and the lack of required site improvements. Consistent with the performance review and amendment to the ordinance, a site plan shall be required when improvements of a permanent nature are required or if/when the site is further developed or used.

VI. APPEALS AND GRIEVANCES

- A.** In the event of a disagreement between the owner/operator and the Director as to whether the use of the site meets the criteria or conditions established within this ordinance, such disagreement shall be submitted to

the Community Development Director and be forwarded to the Planning Commission for recommendation to the City Council for consideration. Any decision made by the City Council shall be in the form of an ordinance amendment.

VII. ENFORCEMENT

- A.** The City of Collinsville, Illinois will enforce the conditions of this ordinance in accordance with the terms of this Attachment A.
- B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C.** Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Collinsville shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Collinsville Code.
- D.** This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A