

Resolution No.

A RESOLUTION APPROVING AND ACCEPTING THE PRELIMINARY PLAT OF MILBURN ESTATES SUBDIVISION BY THE CITY OF O'FALLON, ILLINOIS

WHEREAS, the proposed preliminary plat has been reviewed by the O'Fallon Planning Commission, and planning and engineering staff, and recommended by each; and

WHEREAS, the property described in Exhibit A is currently located in St. Clair County, is zoned "SR-3 Residential", and is proposed for annexation into the City of O'Fallon as a single-family subdivision containing 157 homes and proposed for "SR-2" zoning; and

WHEREAS, the developer has requested that a variance be granted by the City Council to allow for variations in the local and collector street standards as indicated on the attached preliminary plat (Exhibit B), and the City Council has determined that such a variance to the street widths is necessary for the public interest; and

WHEREAS, the Council requires and the developer, O'Fallon Development Group, LLC, agrees that they will construct, as a result of the requested variance to the street width, landscaped areas on each side of the street between the sidewalk and the curb for the planting of street trees as shown on the plat; and

WHEREAS, this preliminary plat approval is subject to and conditioned upon an approved annexation agreement with the developer for this property.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'FALLON AS FOLLOWS:

- 1) Approval. The Milburn Estates Preliminary Plat, as proposed by the subdivider, a copy of which is attached and made an integral and continuing part of this resolution, be accepted and approved; and
- 2) Zoning. The Milburn Estates Subdivision shall be zoned SR-2 upon annexation to the City; and
- 3) Approval of Variance on Street Widths. The City Council hereby grants a variance to the requirements of the Land Subdivision Control Ordinance by allowing pavement widths on the minor local and collector streets internal to the subdivision in accordance with the street cross-sections depicted on the attached Preliminary Plat, and the City Council hereby requires the developer to construct a minimum landscaped areas on each side of the street between the sidewalk and the curb for the planting of street trees per the Preliminary Plat, and a

landscaping plan shall be submitted as part of the final improvement plans showing the street trees; and

- 4) Resolution Recorded with Clerk. The City Clerk is hereby directed to file and maintain a copy of this resolution, along with a copy of the plat, in the Office of the City Clerk; and
- 5) Effective Date. This resolution shall become effective immediately upon its adoption by the City Council.

Resolved by the Mayor and City Council of the City of O'Fallon this 20th day of September 2004.

Approved:

Gary L. Graham, Mayor

Attest:

Philip A. Goodwin, City Clerk