



### CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator  
**Date:** June 2, 2005  
**Subject:** 1) Resolution No. \_\_\_\_ : A Resolution authorizing the Mayor to sign an annexation agreement with Porter Road LLC

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**List of committees that have reviewed:** This item was introduced briefly at the CD Committee meeting on May 23, 2005, however, no vote could be taken on it because the agreement was not completed at that time. Terms of the agreement are still being negotiated as of this writing, therefore, an agreement will be presented to the Council at its June 6, 2005 meeting.

**Background:** The applicant, Porter Road LLC, is proposing an annexation agreement on 86 acres currently zoned A, Agricultural in St. Clair County. The property is located north of the railroad tracks and west of Porter Road directly across from the proposed 200 acre City Sports Park. This proposed annexation is indirectly associated with the City's acquisition of the 88 acres on the east side of Porter Road from Halloran in that as a term in the sales contract the City agreed to allow the owner (Halloran) SR-2 zoning on the western 86 acres (subject of the annexation agreement). The 86 acre tract on the west side of Porter is therefore subject of an annexation agreement between Porter Road LLC and the City pursuant to the terms of the sales contract on the 88 acres.

The key terms proposed in the agreement are as follows:

- 1) A traffic study will be conducted by the developer, and if the report shows a turn lane is necessary, the developer will agree to construct it.
- 2) Water needs to be brought to the site – the developer agrees to bring water to the site, however, he is asking the City consider cost-sharing the extension of a watermain (approx 12") under the RR to serve the site. This cost share, if agreed to by the City, would allow the City the right to surcharge the water customers in the new subdivision for repayment of a portion of the extension. The developer has agreed to pay the construction along their frontage, however, they want the City to pay the cost of installing along frontage not part of their development.
- 3) The applicant is proposing a concept plan of roughly 239 homes on land proposed to be zoned SR-2. The proposed concept plan would be attached to the agreement, however, the formal preliminary plat and the zoning would have to go through the Planning Commission and City Council approval process subsequently.
- 4) The developer is requesting the City waive the park exaction fees (per the sales contract for the 88 acres), however, the developer will be obligated for the \$2,250 per lot annexation fee, totaling \$537,750.
- 5) The City will have an approximately 1 acre site just south of the electrical substation for the purpose of a park maintenance building. The proposed location of the building and the entrance to the subdivision is still being worked through.

**Legal Considerations, if any:** None

**Budget Impact:** The annexation fees at \$2,250 fee per lot for 239 homes = \$537,750.

**Staff recommendation:** Approval