



### CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator  
**Date:** July 21, 2005  
**Subject:** 1) Resolution No \_\_\_\_\_: A Resolution Authorizing the Mayor to Sign an Annexation Agreement with MSJB Investments, LLC for the Ahl Property (TR Hughes Subdivision)  
2) Resolution No \_\_\_\_\_: A Resolution Authorizing the Preliminary Plat of the Ahl Property (TR Hughes Subdivision)

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**List of committees that have reviewed:** At its meeting on July 11, 2005, the Community Development Committee reviewed and unanimously recommended to approve the zoning and annexation of this subdivision, and subsequently the full Council at its meeting on July 18 approved both ordinances on first reading.

**Scope:** This initial action taken by the City Council on July 18, 2005 was to approve the Zoning to SR-1B of the Ahl Property Subdivision and its Annexation into the City of O'Fallon only. Action on the resolutions for the Preliminary Plat and the Annexation Agreement for the property is scheduled for August 1, 2005.

**Background:** The applicant, MSJB Investments, is proposing to subdivide 76.84 acres of land currently zoned A, Agricultural in St. Clair County. The property is located northeast of the intersection of Old Collinsville Road and Milburn School Road. The applicant is proposing to divide the land into approximately 212 single family lots. Lot sizes range from 10,000 to 20,000 square feet. The development will have one access point on Old Collinsville Road, one access point on Milburn School Road with one stub street to the north and two stub streets to the east to serve adjacent properties.

**1) Park Space:** According to the subdivision ordinance, the development requires 3.6 acres of open space. The developer is providing a park amenity of about 5.5 acres, with about 2.5 acres being a lake (wet retention pond) and 3.02 acres in usable park space surrounding the lake that includes walking trails, three 50-70 foot wide access points, pavilions, etc. Since it is not recommended that this park space be dedicated as a City Park, the developer is allowed by ordinance to request a credit of up to ½ of the dedication amount (1.8 acres out of 3.6 required). In actuality, the developer is providing 3.02 acres as private, usable open space. The developer will also be responsible for approximately \$91,800 in park dedication fees.

**2) Annexation Fees:** The subdivision will be subject to annexation fees, which at 212 homes at \$2,250 fee per lot will be in the amount of \$477,000, payable at the time of building permit for each home.

**3) Utilities:** The subdivision will be served by City water and Caseyville Township sanitary sewer. The subdivision will tie in to the existing water main on the south side of Milburn School

Road. City water will be extended along OCR along the frontage of the subdivision. The developer will pay for an 8" line, and the City will pay to upsize the line to 12".

**4) Street Trees:** It should also be noted that the subdivision ordinance states that street trees will be planted within the 54' ROW unless the City Council waives the requirements – if that is the Council's desire, then the applicant will need to pay an equivalent amount for the amount of trees that would otherwise have been required into a "tree escrow fund" for use by the City.

**5) Landscape Berm:** This subdivision is the second subdivision to be designed and constructed under the City's new Subdivision and Development Control Ordinance. The subdivision meets the new requirements, except for a variance permitting the required landscape easement and berm to be located in the rears of residential lots along Milburn School Road and Old Collinsville Road and count towards the calculation of minimum lot size for the SR-1B zoning district.

**6) Lot Coverage Variance:** The Community Development Committee also voted to accept a variance requested by the applicant to permit a lot coverage of 30% on any and all lots in the subdivision upon which single story ranch homes are constructed. It should be noted that the requested lot coverage variance of 30% will need to either be formally approved by the ZBA or have the zoning amended in the future as a Planned Use which would give the Council authority to approve the lot coverage variance without going to the ZBA.

**7) Turn Lanes:** The developer will also perform a traffic study to determine whether a turn lane is warranted by the development on OCR and on Milburn School Road. If the study determines one or both are warranted, then the developer will be obligated to pay for the turn lanes.

**8) Right Of Way Dedication:** The developer will dedicate a total of 35' of ROW along OCR and 50' along Milburn School Rd.

**9) Side Yard Setbacks and Easements:** The new subdivision ordinance requires easements between houses, usually for drainage, to be 10' instead of the old 7.5' for better access. Since the SR-1B zoning allows 7.5' sideyard setbacks for homes, in some instances there may be a conflict where the house needs the full 7.5' sideyard setback but the easement is at 10'. In those cases where there is a conflict, the 7.5' sideyard setback of the home prevails. The annexation agreement addresses the issue.

\*\* The attached annexation agreement embodies the terms described above.

**Legal Considerations, if any:** None

**Budget Impact:** The developer will be liable for approximately \$91,800 in park fees in lieu of land dedication for park space. The annexation fees at \$2,250 fee per lot total approximately \$477,000. These two fees will, at build-out, total approximately \$568,800.

**Staff recommendation:** Staff recommends approval of the Annexation Agreement and of the Preliminary Plat.