



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Ted Shekell, Planning Director
Walter Denton, City Administrator
Date: August 21, 2006
Subject: **MOTION**._____: Approving a general concept plan for the Scott Hesse minor subdivision on Lakeview Lane.

List of committees that have reviewed: At its meeting on August 10, 2006, the Community Development Committee reviewed and recommended approving the concept plan for Scott Hesse's minor subdivision. If approved, Mr. Hesse would be required to submit for a Minor Subdivision requiring formal approval after completion of his survey and engineering responsibilities.

Background: Scott Hesse submitted his concept plan to the CD Committee in Feb of 2006 for review. At that time, the Committee told him that prior to future consideration of his subdivision, he should prepare a Perpetual Road Maintenance Agreement with the other owners that access this private lane, which he has done and which is attached. This agreement would help ensure that the roadway would be perpetually maintained in a reasonably organized manner (although enforceability of this agreement may prove to be difficult). He was also told that an annexation agreement would also be required and City of O'Fallon water would have to be used at such time as it became available to his site.

He is proposing an unincorporated three lot subdivision off Lakeview Lane just east of Simmons Road. This roadway is a partially in Caseyville Township Road District's jurisdiction (near Simmons), but it is mostly a private easement. The proposed three lot subdivision is located along the private portion of the lane. The existing lot is served by Village of Caseyville water, and we would like to see this eventually turned over to O'Fallon water. The subdivision is located within our sewer FPA, although we do not have sewer readily available to this area. Staff remains concerned that the roadway width, length, and general condition, particularly during inclement weather such as with snow or ice, could become safety issues for future residents in this area. This holds particularly true for any future subdivision of land and the addition of more homes along this unimproved private lane beyond what is proposed by Mr. Hesse. As more homes are added to this narrow private lane, it will also becoming increasingly challenging for public safety vehicle to serve these homes (such as fire) and for other public service vehicles in the future upon becoming annexed to the City (such as trash vehicles).

Mr. Hesse would like for the Council to consider his concept plan prior to spending more money to survey and engineer the subdivision. If approved, he would then be required to prepare a minor subdivision plat for formal approval by the Council.

Staff remains concerned about the prudence of allowing subdivisions and more new homes on these narrow private roadway easements (**AKA Hilltop Lane**), however, if the Council desires to approve this one we would suggest it do so with conditions placed on the Minor Subdivision

that will be required to be submitted in the future. These conditions should include: 1) a perpetual roadway maintenance agreement signed by all residents currently accessing the private lane; 2) an annexation agreement stating he will use City water when it's available (during the interim, he will be using Caseyville water); 3) he will annex upon becoming contiguous to the City; and 4) no more home lots will be approved for subdivision on Lakeview Lane without substantial improvement to the roadway and without adequate public services.

Legal Considerations, if any: None

Budget Impact: None at this time.

Staff Recommendation: While staff remains concerned about this request and other similar requests for new lots on these narrow private roadway easements, if the Council desires to approve the concept plan we would recommend it only be done with the conditions as shown above.