



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Ted Shekell, Planning Director
Walter Denton, City Administrator
Date: March 5, 2007
Subject: 1) An Ordinance approving the Final Plat for Stone Briar Phase 2 Final Plat (2nd READING)

List of Committees that have reviewed: At its meeting on February 26, 2007, the Community Development Committee recommended approval of the Final Plat for Stone Briar Phase 2 on 2nd Reading.

Background: On June 21, 2004 the City Council approved the preliminary plat and annexation of Stone Briar Subdivision. The subdivision is located on the eastern side of Old Collinsville Road, about ½ mile north of I-64. Stone Briar includes 169 single family lots on 88.41 acres of land. Phase 2 includes 49 single family lots. The final plat for Phase 2 has been reviewed and approved by planning and engineering staff.

Roadway Continuation to the East:

The applicant has proposed to end the road construction on the western side of the creek and dedicate road right-of-way to the eastern property line, with the intent that future development to the east would be required to build the road extension. In the past, the City Council has normally asked developers build a stub to their property line to provide street connectivity, although it is not required in all instances by the City's subdivision ordinance.

When the Stone Briar Preliminary Plat was approved by Council, it showed the roadway pavement stopping short of the creek, consistent with what has been shown in the Final Plat's improvement plans. After discussion with the applicant's engineer, the applicant clearly does not want to add the pavement and creek crossing to the obligations of this plat.

Property Boundary Dispute with John Kildea:

It should be noted that the subdivider, Ron Harper, is currently in a property boundary dispute with a neighbor to the north, John Kildea. The boundary in dispute is the northern property line, in particular as it relates to a gravel driveway that presently serves Mr. Kildea's house. Mr. Kildea accesses his property from a gravel driveway that runs along the north end of Stone Briar subdivision. According to Dale Funk, the City Attorney, the City is not party to this dispute and is under no obligation to hold up approval of Stone Briar Phase II unless provided with a letter of dispute from a licensed land surveyor.

Legal Considerations, if any: None

Budgetary Impact: At the time of issuance of each home's building permit, an annexation fee of \$2,250 will be required for each home.

Staff Recommendation: Staff recommends approval of the final plat for Stone Briar Subdivision Phase 2 on 2nd Reading with the following conditions:

- 1) Approval of Final Improvement Plans by the City of O'Fallon; and
- 2) Submittal of a form of surety bond acceptable to the City of O'Fallon providing that all improvements shall be completed in the required manner or said surety be forfeited to the City of O'Fallon, Illinois; and
- 3) At the time of issuance of each home's building permit, an annexation fee of \$2,250 will be required for each home.
- 4) Place a sign at the eastern end of Stone Briar Drive where the road temporarily ends that indicates that a future residential collector street will be constructed in the future.
- 5) Future developments to the east must connect into Stone Briar Subdivision at Stone Briar Drive as indicated on the final plat.
- 6) Record a construction easement on the common ground surrounding the platted roadway on the east side of the creek.
- 7) Construct a temporary turnaround on the west side of the creek crossing on Stone Briar Drive.