



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Ted Shekell, Planning Director
Walter Denton, City Administrator
Date: October 6, 2008
Subject: A Resolution authorizing the Mayor to enter into an Annexation Agreement with Southern Financial, Inc. for 64 Bel Vista Court.
An Ordinance approving the Annexation of 64 Bel Vista Court (**1st READING**)

List of committees that have reviewed: At its meeting on September 22, 2008, the Community Development Committee recommended approval of the Annexation Agreement and Annexation for 64 Bel Vista Court.

Background:

Joe and Judy Holder, owners of American Lifestyle Home Center, located at 64 Bel Vista Court just east of the railroad overpass on E. Hwy 50, requested an emergency water tap for their business and 3.7 acres of property. On September 15, 2008, the City Council approved the request for an emergency water tap, with the condition that the actual water tap not be made until after the annexation agreement is approved by Council on October 6. The annexation agreement is our standard agreement and there are no additional terms being requested by the Holders. The property is also contiguous to the city limits, so it will be annexed concurrent with approval of the agreement.

The petitioner, Southern Financial Inc., has filed an application to annex property located at 64 Bel Vista Court, having approximately 3.7 acres, including parcels #04-27.0-400-007 and 04-27.0-400-008. The property is currently zoned "MHP" (Mobile Home Park) in St. Clair County, and a business (American Lifestyle Home Center) is presently situated on the property. The property will automatically be zoned MH-1 upon its annexation to the City of O'Fallon and will be a non-conforming grandfathered use after annexation. The petitioner is certainly able to petition to rezone at some point in the future, however they have not requested it at this point. Since the property is unincorporated, an annexation agreement is required, and this agreement will essentially ratify the issuance of the water tap. Also, since the property is contiguous to the City limits, they will be required to annex, and they have petitioned to do so.

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation: Staff recommends the annexation agreement and the annexation of the property.