



## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator  
**Date:** November 17, 2008  
**Subject:** American Lifestyle Home Centers Annexation Agreement (RESOLUTION) and Annexation (1<sup>st</sup> READING) of Property located at 64 Bel Vista Court

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**List of committees that have reviewed:** The Community Development Committee reviewed and recommended approval with a vote of 4-0 at their meeting on November 10, 2008.

**Update:** 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, 2008. A public hearing was held at the City Council meeting on October 6, 2008 at 7:00 pm. Although the public hearing was held, the resolution and 1<sup>st</sup> Reading were put on hold pending receipt of required paperwork from the Holders. We now have all necessary paperwork to proceed with the annexation agreement and annexation.

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.

**Background:** 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.