



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 17, 2018

Re: Clear Creek Annexation Agreement (Case # 18-62)

## Executive Summary

Approval of this request will authorize the City Manager to enter into an annexation agreement with JQB Construction, Inc. for the future annexation of a 153.65 acre tract of land proposed to be developed into 45 single-family lots and known as "Clear Creek Estates". The annexation agreement will further permit JQB Construction, Inc. to connect development-related sanitary sewer lines into the City's sanitary sewer system. The annexation agreement further provides specific performance standards that must be met by JQB Construction, Inc. to ensure that the proposed subdivision complies with City tree preservation and fire code standards. A related sanitary sewer connection agreement, between the City of Columbia and the Boone County Regional Sewer District, is being concurrently considered with the request.

## Discussion

The applicant, JQB Construction, Inc. is seeking approval of an annexation agreement relating to a 153.65 acre parcel of property located east of Highway 163 and generally to the south of the proposed Old Plank Road/Gans Road roadway extension. The subject site is presently zoned Boone County A-2 and is proposed to be improved as a 45-lot single-family subdivision with lots containing a minimum of 2.5 acres.

The purpose of the annexation agreement is to permit the applicant the ability to connect the development to the City's sanitary sewer network. The subject property is not presently contiguous to the City's municipal boundary and pursuant to Policy Resolution 115-97A in order to connect to City sanitary service a property must either annex, if contiguous, or enter into an annexation agreement, if non-contiguous.

The proposed development of the subject acreage, per the terms of the annexation agreement, would be subject to all Boone County development regulations and approvals for the duration of time the parcel would remain outside the city limits (i.e. not annexed) with the exception of having to comply with the City's tree preservation standards and the fire code requirements. The agreement has a provision within it that provides a two-year transition period for work "in progress" at the time of annexation to be completed under County requirements. Any new work begun following annexation would be required to comply with all City regulations.

Once the property becomes contiguous with the City, the parcels within the development would be required to annex into the City. If the applicant, or subsequent owners, fail to respond to the City's request for completion of the annexation process, the City Manager,



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

per the terms of the agreement, could act upon their behalf. The agreement indicates; however, that the City may, but is not obligated to, annex the property upon it becoming contiguous.

Furthermore, the annexation agreement cross-references a "Connection Agreement", between the City and Boone County Regional Sewer District, regarding the point of connection between the development's sanitary sewer lines and the City sanitary sewer pump station to the northeast of the site. The sewer lines within the development will be the responsibility of the Boone County Regional Sewer District upon installation and the 45-lots will be retained as Boone County Sewer District customers. Consideration of the terms of the "Connection Agreement" are presented as separate Council action being reviewed concurrently with this request.

The subject property is partially located within the Urban Services Area (USA) boundary as depicted within Columbia Imagined. The northwest corner of the site along Highway 163 appears to be outside the USA boundary. The site receives public utilities from the Boone Electric and Consolidated Water District #1. Public safety services are provided by Boone County. Upon annexation, utility services would not change; however, police protection and trash collection would become the responsibility of the City. Additionally, upon annexation fire protection services would be provided by the City of Columbia Fire Department and the Boone County Fire Protection District. New State legislation provides that property annexed into the City is not removed from the Fire Protection District's service territory.

The subject property is located east of the Rock Bridge Memorial State Park and is identified within Columbia Imaged as part of a sensitive features area. The proposed large lot (2.5 acre and greater) development with its proposed public sewer system is a less intrusive use of the land than a traditional urban residential development. The proposed lot sizes are consistent with County zoning standards. County required public improvements will be comparable to those of a city subdivision of similar scale and design. To ensure greater compliance with the City's UDC provisions, the annexation agreement has provisions within it that require the applicant meet city tree preservation standards as well as the adopted City Fire Code.

Staff's believes that the proposed annexation agreement and its provisions relating to sewer connection obligations, UDC development compliance, and adherence to the City's adopted Fire Code afford opportunities to responsibly develop the subject acreage in light of its location as well as defines the process in which an orderly expansion of the city municipal boundary can occur in the future, if desired.

Locator maps and a copy of the executed annexation agreement with exhibits is attached for review.



## Fiscal Impact

Short-Term Impact: None. All public infrastructure expansion or extension will be at the cost of the applicant.

Long-Term Impact: Long-term impacts may include sanitary sewer connection point maintenance. Additional long-term impacts may include increased public safety, trash collection, and roadway infrastructure maintenance costs; however, such impacts would only be realized upon formal annexation of the property.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Land Use & Growth Management

## Legislative History

Date	Action
N/A	N/A

## Suggested Council Action

Approve the annexation agreement and authorize the City Manager to execute it.