



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 4, 2018

Re: Lewis and Smarr Subdivision Lot 3 Annexation Public Hearing (Case #18-131)

Executive Summary

Approval would set September 17, 2018 as the public hearing date for the voluntary annexation of three acres of land addressed 5705 E. Mexico Gravel Road and described as Lot 3 on the Lewis and Smarr Subdivision as required per State Statute.

Discussion

Derek and Charlee Zimmermann (owners) request to annex approximately three acres of land into the City of Columbia and permanently zone the property to R-1 (Single-Family Dwelling District). The property is currently zoned Boone County R-S (Single-Family Residential), and is contiguous to the City along its northern property boundary. The requested R-1 zoning is similar in nature to the County's R-S zoning in terms of development density and use. A single home is on the property presently, consistent with the proposed R-1 zoning.

Per State Statute, a public hearing must be held prior to final action being taken on the annexation of property into the corporate limits. The purpose of the hearing is to receive public comments regarding the annexation of the property and to determine if such action is a reasonable and necessary expansion of the city's corporate limits.

A public hearing for the annexation was previously held on August 6, 2018. It was determined, however, that unbeknownst to staff, the property had been sold on June 27, 2018. The previous owners, who initiated the annexation and zoning actions, are J. Patrick and Barbara Fitzgerald, and the new owners are Derek and Charlee Zimmermann. A second public hearing is thus being set to indicate the Zimmermann's desire to pursue the annexation begun by the prior property owners and ensure all statutory requirements have been satisfied. The legal description and the requested zoning for the property is unchanged from the August 6, 2018 public hearing.

The Zimmermann's have indicated in writing (see attached) their desire to annex the property into the City with R-1 zoning to allow for the connection to City sewer. While the on-site septic system is operational, City sewer is adjacent to the property and is desired. They are working with the Fitzgeralds, per the sales contract, to connect the property to City sanitary sewer via one of the two proposed sewer designs that are awaiting City Utilities Department approval. The Fitzgeralds are responsible for contracting and paying for the sewer extension under the terms of the property sale.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Option one would directly connects the property to the City's 6" sewer force main on the south side of Mexico Gravel Road, and option 2 would cross the two neighboring properties to the west on the north side of Mexico Gravel Road. The final connection design is subject to approval by the Utilities Department.

The subject site is not presently contained within the Urban Service Area as presented in Columbia Imagined. This does not prevent the annexation of the property, as Columbia Imagined lays out possible considerations when analyzing a site that is outside of the Urban Service Area. Principally, City contributions for CIP projects that would benefit sites should be limited, and impact fees should be considered.

The property is able to be served by City water, and is in the Boone Electric service territory. Given this property is currently within the Boone County Fire Protection District's service territory and pursuant to House Bill 1446, primary fire protection for the site would remain with the District; however, City Fire services would provide additional support. Other City services that will be provided in the future upon annexation include Solid Waste and Police.

The Planning and Zoning Commission consider the proposed permanent zoning of the subject site at their July 5, 2018 meeting. A recommendation of approval (9-0) was given for the proposed R-1. A copy of the Planning Commission staff report and meeting minute excerpts will be provided as part of the ordinance to permanently zone the subject property which will be introduced at the September 17, 2018 Council meeting.

Locator maps and a combined City and County adjacent zoning graphic are attached.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Limited future impacts. Impacts to be incurred would include public infrastructure maintenance as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and property tax collections.

Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)

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

[Comprehensive Plan Impacts:](#)

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



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Legislative History

Date	Action
08/06/2018	Public hearing for the voluntary annexation of property located on the north side of Mexico Gravel Road and east of Spring Cress Drive (5705 E. Mexico Gravel Road) (Case No. 18-131). (PH27-18).

Suggested Council Action

Set the date of the required annexation public hearing for September 17, 2018.