



Department Source: City Utilities - Sewer/Stormwater

To: City Council

From: City Manager & Staff

Council Meeting Date: August 20, 2018

Re: VH Properties LLC – Annexation Agreement

## Executive Summary

Approval of this request will result in the adoption of an annexation agreement permitting the seven parcels owned by VH Properties LLC as described in the attached agreement and located on or near Van Horn Tavern Road, as shown on Exhibit A of the agreement, to connect to the City's Henderson Branch Sewer Extension project. The proposed connection is subject to the terms of a territorial agreement between the City and Boone County Regional Sewer District.

## Discussion

This annexation agreement, on behalf VH Properties LLC (owner), requests approval for seven parcels totaling 44.24 acres located on Van Horn Tavern Road or County Road UU and south of Interstate 70. The property is separated from the current city boundary to the south and east by two tracts of Agricultural property owned by others. The parcels requesting annexation are currently zoned Boone County M-LP (Planned General Industrial) A-R (Agriculture – Residential) and C-GP (Planned General Commercial).

The applicant currently has the Midway Arms business located on the M-LP properties and is in compliance with the current Boone County M-LP zoning. A residence is located on one of the A-R properties, which is in compliance with current Boone County A-R zoning. The remaining A-R parcels and the other C-GP parcel are vacant. Midway Arms is currently connected to a Boone County Regional Sewer District wastewater treatment facility. Per Policy Resolution (PR) 115-97A, Section 2(A), a non-contiguous parcel must enter into an annexation agreement in order to connect to the city sewer system.

The required annexation agreement is attached. The agreement allows the owner to connect their properties to the City's sewer, pay all required fees and obligates the applicants to complete the annexation process (become part of the City) once their property is contiguous with the city boundary. Upon becoming contiguous, a separate public hearing would be held to establish permanent city zoning on the property. The annexation agreement indicates that the applicant desires City PD and A zoning, as shown by Exhibit C of the agreement, which is generally consistent with the current County zoning.

Boone County Regional Sewer District (BCRSD) currently owns and operates the wastewater treatment facility that serves the VH Acres Plat 2 properties (Midway Arms) on Van Horn Tavern Road. Amendment No. 3 to the March 8, 2011 General Cooperative Agreement with Boone County Regional Sewer District stipulates that BCRSD will fund 31.3% of the project cost with a not to exceed of \$628,047.00 for the Henderson Branch Sewer Extension in order



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701 East Broadway, Columbia, Missouri 65201

to remove this existing wastewater treatment facility and connect to the City sewer. Amendment No 3 established a territorial area governed by the terms of the 2011 Cooperative Agreement. This portion of the applicant's property is included in the territory for the BCRSD.

Associated with this request is a concurrent easement acquisition ordinance and bid call ordinance for the Henderson Branch Sewer extension.

## Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: Upon annexation impacts may include increased public safety and infrastructure maintenance costs which will be off-set by additional tax revenue and users fees.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Secondary, Tertiary Impact: Tertiary

### Comprehensive Plan Impacts:

Primary Impact: Inter-Governmental Cooperation, Secondary Impact: Infrastructure, Tertiary Impact: Environmental Management

## Legislative History

Date	Action
05/21/2018	(B103-18 Authorizing an annexation agreement with VH Properties LLC for properties location on Highway UU and West Van Horn Tavern Road. <i>Withdrawn</i>
08/17/2015	B232-15) Amending the General Cooperative Agreement with Boone County Regional Sewer District

## Suggested Council Action

Approve the requested annexation agreement pursuant to approval of the Henderson Branch Sewer Extension easement acquisition ordinance and bid call ordinance.