



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 21, 2021

Re: 2550 & 2700 E. Gans Road – Annexation/Permanent Zoning (Case #91-2021) - Supplemental Memo (Protest Petition) Addendum

Executive Summary

An additional protest petition was submitted on June 16, 2021 for Case #91-2021. Both petitions have been reviewed pursuant to Section 29-6.4(n)(1)(ii)(E) of the Unified Development Code. Pursuant to said section, the combined petitions have **fallen short** of meeting the required 30% threshold of signatures of the owners of adjacent property within 185-feet of the subject site necessary to trigger a two-thirds (2/3) supermajority, 5 of the 7 Council members, affirmative vote to approve the requested assignment of R-1 zoning upon annexation of the subject property.

Discussion

The City Clerk has received two protest petitions, constituting a total of six adjacent property owners, for Case # 91-2021. The submitted petitions have been reviewed by Planning staff and found to not meet the provisions of Section 29-6.4(n)(1)(ii)(E) of the Unified Development Code. The six signatories were found to be valid participants in the protest petition process, however, when combined do not own enough of the adjacent property to validate a protest petition.

Pursuant to the UDC, a valid protest petition must include verified signatures of the owners of 30% or more, either of the area of land (exclusive of right of way and alleys) included within such proposed change, or within an area determined by lines drawn parallel to and 185-feet distant from the boundaries of the area proposed to be changed.

A spreadsheet of pertinent information regarding the land area of neighboring properties and a map of the protesting property is attached. Based upon staff's evaluation of the verified signature and the area of that property within the 185-foot boundary surrounding the subject site, it has been determined that the owner represents approximately 13.61% of the protest petition area.

Pursuant to the UDC, the petition **does not** meet the 30% threshold of signatures of the owners of adjacent property which would trigger an affirmative vote of two-thirds (2/3), 5 of the 7 Council members, for approval of the requested assignment of R-1 zoning upon annexation of the subject property.

The most recent protest petition (dated June 16, 2021), revised protest petition spreadsheet including the original verified signatory (dated June 16, 2021), and revised protest petition map including original protesting property (dated June 16, 2021), are attached for review.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

The original petition and corresponding documents were provided as part of the "Supplemental – Protest Petition" memo accompanying the May 17, 2021 agenda item.

Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Not Applicable

Legislative History

Date	Action
5/17/21	B157-21 tabled to the June 21, 2021 Council meeting.
5/3/21	Introduction of establishing permanent District R-1 (One-family Dwelling) zoning on property addressed 2550 and 2700 E. Gans Road upon annexation (B157-21)

Suggested Council Action

This report is to provide information on the protest petitions received by the City Clerk.