



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 7, 2021

Re: 5500 W. Van Horn Tavern Road Annexation- Set Public Hearing (Case #226-2021)

## Executive Summary

Approval would set September 20, 2021 as the public hearing date for the voluntary annexation of approximately 121 acres of land addressed 5500 W. Van Horn Tavern Road, as required per state statute.

## Discussion

Crockett Engineering (agent), on behalf of MFL Golf, LLC (owner), is seeking approval to annex approximately 121 acres into the City's corporate limits. The property is addressed 5500 W. Van Horn Tavern and is presently improved with Midway Golf and Games, which has existing outdoor entertainment uses. The property is located approximately 1800' east of the intersection of Highway UU and Van Horn Tavern Road. The property is contiguous to the City's corporate boundary on its eastern boundary which adjoins the City's Strawn Road Park east of Perche Creek.

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.

The applicant is seeking to permanently zone (Case # 227-2021) the subject parcel from County REC (Recreation) to a combination of City M-N (Mixed Use- Neighborhood; approx. 6 acres) and O (Open Space; approx. 115 acres). The applicant's request for M-N zoning is principally driven by the desire to construct a restaurant that would support the overall outdoor recreation and entertainment uses. A restaurant is currently a permitted conditional use within the County's REC zoning; however, would require connection to public sewer. Pursuant to Policy Resolution 115-97A such a connection requires either an annexation agreement or a direct annexation. Given the parcel is contiguous to the municipal boundary an annexation is required; however, should Council determine an agreement is more appropriate staff can be directed to prepare such an agreement.

Under concurrent review with the permanent zoning is a request for approval of a CUP (Conditional Use Permit) (Case # 253-2021) to allow the existing "outdoor recreation or entertainment" uses to continue to operate on the 115 acres sought to be zoned O. Such uses are permitted "by-right" within either the M-C (Mixed-use Corridor) or IG (Industrial) zoning districts and via CUP in the O district. Neither M-C or IG were deemed appropriate by staff for the subject site given numerous environmental constraints as well as limited accessibility and as such the applicant has requested the zoning categories and CUP



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accordingly. The permanent zoning and CUP cases are anticipated to be introduced at the September 20 City Council meeting following the Planning and Zoning Commission's required public hearings that are scheduled to occur at their August 19 meeting.

The staff reports for these cases provide additional information and analysis relating to the appropriateness of the requested zoning categories following review of the current land use and development pattern of the area, existing conditions (including environmental constraints). Furthermore, the staff report for the CUP specifically proposed conditions to be tied the site should existing/additional recreation or outdoor entertainment uses be expanded or proposed that are intended to mitigate the impacts of the proposal.

It should be noted that the subject acreage is not deemed to be a "legal lot" and will be subject to the platting standards of the UDC. The requirement that the applicant submit a Traffic Impact Analysis to address accessibility concerns related to further expansion of the uses on the site is also discussed in detail in the staff reports. The staff reports as well as full Planning and Zoning Commission public hearing minutes will be provided for Council consideration under separate cover on the September 20 agenda for each case respectively.

The subject site is within the Urban Service Area as presented in Columbia Imagined and has access to an existing City sanitary sewer line to the east. According to the Utilities Department, there is a 60" City sewer trunkline east of Perche Creek to which the applicant can connect and extend sewer into the subject property for future service. This line is not "capacity-restricted" and would be capable of accepting new sewage flow from the subject site. Extension of sewer would be at the expense of the applicant and subject to applicable connection charges assessed to similar city development. Boone Electric and Consolidated Water District #1 provide electric and water services, respectively. Fire protection would be jointly provided by the City of Columbia and Boone County Fire Protection District. Local roadway access to this area from Columbia is limited due to the natural barrier of Perche Creek, which has only widely spaced crossings; this could have significant impact on service provision if the City annexes an extensive area west of the creek.

Public notice relating to the proposed permanent zoning was provided 15 days in advance of the Commission's August 20 meeting via a published newspaper ad, on-site signage indicating the site was the subject of a public hearing, and written notification to all property owners as well as Homeowners Associations within 185' and 1000', respectively.

Locator maps 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 applicant.



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Long-Term Impact: Public infrastructure maintenance associated with sanitary sewer as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Reliable Infrastructure, Secondary Impact: Safe Neighborhoods, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Mobility, Connectivity, and Accessibility

## Legislative History

Date	Action
N/A	N/A

## Suggested Council Action

Set the date of the required annexation public hearing for September 20, 2021.