



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: December 18, 2023

Re: 3705 W. Gibbs Road Annexation – Permanent Zoning (Case # 247-2023)

Executive Summary

Approval would establish a mix of R-1, R-2, and R-MF zoning on a 60.24-acre parcel of land located at 3705 W. Gibbs Road, upon the parcel's annexation into the City's corporate limits. A verified protest petition has been received with respect to this request. Per Section 29-6.4(n)(1)(ii)(E) of the UDC, approval of this request will require an affirmative vote of 2/3-thirds of the seated and not disqualified Council members at the time action is taken (typically five of seven).

Discussion

Crockett Engineering (agent), on behalf of The Roxie Grant Revocable Trust (owner), seeks approval of a mix of residential uses on their 60.24-acre parcel located north of Gibbs Road upon annexation of the property into city's corporate limits. The proposed zoning mix would include 41.17 acres of R-1 (One-Family Dwelling), 14.48 acres of R-2 (Two-Family Dwelling), and 4.7 acres of R-MF (Multiple-Family Dwelling) district zoning. The subject acreage is presently zoned Boone County R-S (Single-Family Residential).

The northern 2/3 of the parcel is proposed as R-1 zoning with the proposed R-2 and R-MF districts being located in the south and approximate middle of the parcel, respectively. The R-MF separates the R-1 to the north and the R-2 to the south. The applicants have indicated a desire to seek cottage zoning standards on the R-2 portion of the site via a separate Board of Adjustment action. If authorized, the application would be permitted to construct detached single-family dwellings on lots with reduced dimensional standards in an effort to provide diverse and more economical housing choices.

Contextual zoning in the immediate vicinity includes an array of agricultural and single-family zoning as well as some moderate-density residential (R-M) zoning in the County. The R-M zoning permits standard multi-family densities up to 17 units per acre. The requested residential zoning districts are consistent with the "Neighborhood District" of the City's comprehensive plan which is intended to accommodate a broad mix of residential uses, and low-impact commercial uses.

The site is located within the City's Urban Services Area. Sewer will be provided by the City upon annexation via an existing city sewer line located onsite to the northwest and an extension of sewer from the southeast. The subject property is served by Boone Electric Cooperative, a relationship which will be maintained after annexation. Water service is provided by the City via a 6 inch main located along the Gibbs Road frontage near the



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southern end of the parcel. There are no known capacity issues associated with the utility services to be provided to the site.

A major collector roadway is planned across the site from the southwest extending eastward to the property's eastern boundary at which point the roadway would curve to the north along the eastern property boundary. This roadway, which would ultimately connect to Route E, is included on the attached preliminary site plan and will serve as the primary means of vehicular access to development on the subject parcel. Additional connections to Gibbs Road and other neighboring parcels will be required as well, to meet connectivity requirements of the UDC.

The requested increase in density is believed appropriate given the planned extension of a major collector roadway (Gibbs Road) through the subject site. The roadway is planned to be a significant connection from I-70 Drive Northwest to Route E (North Stadium Boulevard). Staff anticipates construction on this site would enable additional development on adjacent parcels, facilitating extension of the identified roadway corridors. Residential driveways would be prohibited along the future roadway given its major collector classification; therefore, a multi-family housing product is believed better-suited along the newly-created Gibbs Road corridor.

The Planning & Zoning Commission heard this case at their October 19, 2023 meeting. Commissioners inquired about the applicability of the West Area Plan (a preliminarily proposed joint City-Boone County land use plan for the acreage west of the Perche Creek to Route UU) with respect to this subject parcel. Staff indicated that the proposed Plan did not include land that far north of I-70. The applicant's representative gave an overview of the project noting that roughly 45% of the site will remain wooded open space due to topographical constraints, and that the final development density for the parcel would amount to approximately two units per acre.

During the public hearing a number of property owners spoke in opposition to the request. Many cited concerns about an increase in traffic in the area, which is served by inadequate, deteriorating roads particularly Gibbs Road east of the subject site. Others questioned what impacts would be generated by the additional homes on the assigned school district and crime in the area. Residents were also concerned that the CATSO Major Roadway Plan was being used to justify the development as opposed to the roadway being constructed prior to development along its corridor. Many neighbors indicated that R-1 across the entire parcel would be supported over what was proposed for the site, but that development similar to the existing estate lots would be their preference.

Members of the Planning Commission then noted that low-density A and R-1 zoning was associated with sprawl which impacts provision of public services, and that the available housing stock in Columbia is lacking at entry-level price points. Members indicated support for the intended development of a mix of housing options along a planned major roadway corridor that would support such development and trigger/partially fund construction of the extension of Gibbs Road.



After brief further discussion, Commissioners moved to approve the permanent zoning request, pursuant to annexation of the property into the City's corporate limits. The motion passed unanimously (9-0). The Commission in a separate motion moved and approved (9-0) that the permanent zoning be removed from the Council's consent agenda. Such motion would permit additional opportunity for the public to address Council on this matter and allow Council to more fully considered the impacts of the annexation and permanent zoning.

A protest petition has been submitted with respect to this request. The petition has been verified as meeting the requirements of Section 29-6.4(n)(1)(ii)(E) of the UDC. As such, approval of the requested permanent zoning requires an affirmative vote of two-thirds (2/3) of the seated and not disqualified members of Council in office at time such action is taken.

(E) If a protest against a change to the zoning map duly signed and acknowledged by the owners of thirty (30) percent or more, either of the area of land (exclusive of streets and alleys) included in such proposed change, or within an area determined by lines drawn parallel to and one hundred eighty-five (185) feet distant from the boundaries of the area proposed to be changed, the zoning map change amendment shall only be adopted if it receives the affirmative vote of two-thirds (2/3) of the members of the council then in office and not disqualified from voting under section 2-53.1 of the City Code. An abstention shall not be counted either for or against the amendment. In order to be valid, protest petitions must be filed with the city clerk no later than noon on the Wednesday before the council meeting at which the proposed amendment is scheduled to be considered for passage.

The Planning and Zoning Commission staff report, locator maps, zoning graphic, preliminary site plan, public correspondence, protest petition, verified signatories, and protest petition map, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: Limited. All costs associated with the extension of public infrastructure systems will be borne by the applicant. Depending on construction completion, additional costs may be incurred for maintenance of newly installed infrastructure and increased public safety and service provision (i.e. trash collection). Incurred costs are dependent on subdivision development.

Long-Term Impact: On-going maintenance of public infrastructure and provision of public safety and solid waste services. Future impacts may or may not be offset by increased user fees and/or property tax collections.

Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)



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

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Mobility, Connectivity, and Accessibility, Tertiary Impact: Infrastructure

Legislative History

Date	Action
12/4/23	Set a public hearing on the proposed annexation.

Suggested Council Action

Approve the requested permanent zoning as recommended by the Planning & Zoning Commission.