



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: December 20, 2021

Re: Harasha Tract Richland Road Annexation Agreement (Case #284-2021)

Executive Summary

Approval of this request will authorize the City Manager to enter into an annexation agreement James F. Harasha and Rita F. Harasha. If approved, the applicant would be permitted to connect a proposed Boone County residential subdivision containing 350 single-family lots and 20 condominium dwellings on approximately 145.72 acres to the City's sanitary sewer system. The subject acreage is non-contiguous to the City's municipal boundary and is required to obtain agreement approval per Policy Resolution 115-97A. The site is further required to enter into the requested annexation agreement per the terms and conditions of the 2005 Grindstone Creek Watershed Cooperative Agreement between the City and the Boone County Regional Sewer District as it relates to sanitary sewer service.

It should be noted, that the subject property would be required to annex into the City upon becoming contiguous with the municipal boundary. Furthermore, a majority of the proposed development, per the Cooperative Agreement, is not subject to payment of standard "out of city" connection fees relating to sanitary sewer provision.

Discussion

Simon & Struempf Engineering (agent), on behalf of James & Rita Harasha (owners) and JR2 Development LLC (developer), are seeking approval of an annexation agreement with the City of Columbia that would allow a proposed mixed-use residential development on 145.72-acres to connect to the City's sanitary sewer system. If approved, the applicants would be permitted to construct a residential development containing approximately 350 single-family lots and 20 condo-style dwellings generally in accordance with the zoning and subdivision provisions of Boone County. The subject property would be required to annex into the City upon becoming contiguous with the municipal boundary. The agreement also addresses off-site infrastructure improvement requirements necessary to mitigate impacts that the proposed development will create on the surrounding roadway network. The property is currently zoned County A-1 (Agriculture) and is located on the south side of Richland Road, south of the intersection of Richland Road and Trade Winds Parkway, and includes the address 8100 E Richland Road.

The site is located approximately one-half mile east of the City's current municipal boundary at the northwest corner of the Richland and Olivet Road intersection. Per the submitted preliminary layout, the development would include the extension of Trade Winds Parkway south of its current terminus at Richland Road and also provide street connections to properties surrounding it. The applicant will be seeking planned development zoning with the



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County to accommodate the development, which will provide primarily single-family dwellings, along with a small amount of condominiums.

Annexation Agreement

The purpose of the annexation agreement is to permit the owner the ability to connect to the City's sanitary sewer treatment system per the requirements of Policy Resolution 115-97A and the terms of the 2005 cooperative agreement approved by Ordinance #18430 (see attached). The vast majority of the site is located on property that is subject to the cooperative agreement, referred to as the Grindstone Creek Watershed Agreement that the City entered into with the Boone County Regional Sewer District (District) in 2005.

The site consists of two parcels – a west parcel that is 132.18 acres which is fully within the cooperative agreement area and is identified as the District's service territory, and a 13.54-acre east parcel. The east parcel is further divided north and south by the boundary between the Middle Hinkson Creek watershed and the Little Bonne Femme Creek watershed.

As can be seen on Exhibit D of the attached annexation agreement, the north portion of the east tract is located **within** the area subject to the cooperative agreement, but is defined as being future City customers. located within the City's service area. As such, any development within this area would pay the standard connection fee and recurring fees listed in the municipal code for a City customer outside the city.

The portion of the east tract that lies south of the watershed boundary **is outside** the boundary of the cooperative agreement, thus is not subject to the cooperative agreement, and would be subject to the City's standard annexation policy. The site would be typically served by the District; however, the City has received a "Consent to Serve" letter from the District authorizing the City to provide service to this area, subject to the terms and conditions of the 2005 cooperative agreement. As such, any development within this portion of the east tract would become a customer of the City.

The provisions of the cooperative agreement state that, among other things, the City will be compensated by BCRSD for customers within their service area a monthly treatment fee equivalent to 0.80 times what the customer would pay if they were connected to City sewer service and located within the City limits. It is important to note that additional treatment fees may be charged by the District in addition to what is paid to the City. The agreement also specifies that the City will not impose any connection fees upon District customers. This is in contrast to the City's standard policy for sewer connections which, per Sec. 22-266 of the municipal code, requires payment of a fee that is 150% of the standard charge paid by customers whose property is within the City limits. Per Sec. 22-264 of the municipal code, the standard charge for a new residential dwelling unit connection is \$2,400, so property located outside of the City's municipal boundary would pay \$3,600 (150% of standard charge). It is worth noting that the District does collect a \$1,600 fee for connections within their service territory.



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During discussions with the applicant regarding the drafting of the annexation agreement, staff recommended the applicant include language that would authorize the City to collect a "facility fee" to offset improvements that were made to the City's sewer treatment plant since the cooperative agreement was approved. This recommendation was based upon recent Council feedback regarding the lack of connection fees within this particular cooperative agreement.

A figure of \$2,000 per dwelling unit was recommended, which represents the difference between the fee collected by the District and the fee that would otherwise be collected by the City for lots outside of the City's municipal boundary when not prohibited by an existing agreement. The applicant declined to include the suggested language; therefore, the attached agreement makes no provision for an additional sewer treatment system payment.

In addition to outlining the provision of sanitary sewer, the agreement also includes a provision to address potential street infrastructure impacts. At the time of application, the applicant provided a "Relative Traffic Impact Memo" from a traffic engineer to determine the impacts of the development would have on the surrounding street network. The conclusions from the memo were that the site would require a turn lane along Richland Road. In addition, it recognized that this development along with other potential development sites along Richland Road would have an impact on traffic movement along Richland Road principally at the intersection of Richland Road and Grace Lane/Rolling Hills. This development, along with future development, would likely trigger the need to construct a roundabout at that intersection in the future. The memo stated that the traffic from the subject site would create a 20% increase in the number of trips generated to the intersection of Richland Road and Grace Lane/Rolling Hills.

Based upon that finding, staff recommended that the applicant contribute an amount that would be equal to 20% of the average cost of a City-constructed roundabout (\$940,486.55), which would equal a payment of \$188,097. The payments would be allowed to be paid in three equal payments spread out over time as the property is platted in the future; however, all payments will be due no later than 5 years after the approval of the first plat by Boone County. The applicant agreed to this condition and it has been incorporated into the agreement.

The annexation agreement also addresses the general development of the site. Per its terms, new construction would be subject to all Boone County development regulations and approvals for the duration of time the parcel remains outside the city limits (i.e. not annexed), with the exception of having to comply with the City's tree preservation standards and the International Fire Code regulations adopted by the City. The agreement also includes provisions that provide a 2-year transition period for work "in progress", triggered at the time of annexation, allowing then on-going construction to be completed under County requirements. Any new work begun following annexation would be required to comply with all City regulations.



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The majority of the subject property is located within the Urban Services Area boundary as depicted within Columbia Imagined. The southeast corner of the site is located outside the Urban Services Area boundary, where the boundary between the Middle Hinkson Creek watershed and the Little Bonne Femme Creek watershed marks the edge of the Urban Services Area. The site receives public utilities from the Boone Electric and PWS #9, and public safety services are provided by Boone County. Upon annexation utility services would not change; however, police protection and trash collection would become the responsibility of the City. Additionally, upon annexation fire protection services would be provided by the City with mutual-aid response by the Boone County Fire Protection District.

Locator maps, Richland Road Development Concept Layout, annexation agreement, application letter & traffic impact memo, Grindstone Creek Watershed Cooperative Agreement (Ord. #18430), and City's annexation policy resolution (PR 115-97A) are attached for review.

Fiscal Impact

Short-Term Impact: None. All public infrastructure expansion or extension will be at the cost of the applicant.

Long-Term Impact: Long-term impacts may include sanitary sewer connection point maintenance. Additional long-term impacts may include increased public safety, and trash collection; however, such impacts would only be realized upon formal annexation of the property.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

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

Legislative History

Date	Action
10/19/09	Approved amendment to Sunrise Estates Pump Station Connection Agreement. (Ord. 020454)
3/7/05	Authorized City Manager to execute Grindstone Creek Watershed Cooperative Agreement. (Ord. 018430)

Suggested Council Action

Authorize the City Manager to execute the annexation agreement.