



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: November 4, 2019

Re: 4172 E. Highway WW Annexation Agreement (Case # 175-19)

Executive Summary

Approval of this request will authorize the City Manager to enter into an annexation agreement with Old Hawthorne Development LLC for a 5.79 acre tract of land proposed to be improved with a mixture of commercial uses (rock climbing facility, restaurant and mini-storage). The agreement establishes provisions for the future annexation of the acreage and authorizes the applicant to connect the future improvements to the City's sanitary sewer system. The subject property is located within the Grindstone Watershed Cooperation Agreement adopted in 2005.

Discussion

The applicant, Old Hawthorne Development LLC, seeks approval of an annexation agreement for 5.79 acres of property located on the south side of Highway WW that is addressed as 4172 E. Highway WW. The subject property is directly west of the existing commercial development located at the southwest corner of S. El Chaparral and E. Highway WW. The subject site is presently zoned Boone County R-S (single family) and is improved with a private residence. In conjunction with this request, the applicant will be seeking Boone County approval of planned development zoning, a planned development plan, and a subdivision plat to allow for the proposed mixed-use development depicted in Exhibit B.

The purpose of the annexation agreement is to permit the applicant the ability to connect the development to the City's sanitary sewer network. Pursuant to Policy Resolution 115-97A and due to the property not being contiguous to the city limits the proposed annexation agreement is necessary. The subject property is located within the Urban Services Area boundary as depicted within Columbia Imagined.

Pursuant to the Future Land Use Map of Columbia Imagined the subject property is identified as being located within a Neighborhood District. Neighborhood Districts are intended to accommodate a broad mix of residential uses and a limited number of nonresidential uses that provide services to neighborhood residents. The subject site is further identified in the East Area Plan, which provides a finer-grain analysis for this area, and is identified as part of a "commercial node" on the Plan's future land use map. The property immediately to the east of the subject site is presently commercially zoned and developed which is consistent with both Plan's permissible uses.

Given the recommendations of both Columbia Imagined and the East Area Plan relating to the site's future land use designation, staff believes the proposed mixed-use development plan (Exhibit B) and use restrictions (Exhibit D) of the agreement provides services



City of Columbia

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appropriate for the area. To further ensure land use compatibility, the annexation agreement includes specific provisions requiring compliance with the City's buffering and screening standards between the existing residential area and commercial development as well as adherence to the City's adopted use-specific standards for the self-storage units. Furthermore, the agreement includes provisions requiring compliance with the City's tree preservation and lighting standards as well as the adopted City Fire Code. The aforementioned provisions, pursuant to the agreement, would apply to future site improvements regardless if the property were annexed into the City or not and must be shown to be complied with as part of Boone County's development approval process (i.e. zoning and subdivision).

As noted, the subject property is within the Urban Service Area as depicted in Columbia Imagined. As such, the future provision of services to this property was anticipated. In light of this, the applicant's engineer and the City's Sewer Utility staff evaluated the future sewer demand required for the subject property based upon its anticipated development. As a result of this evaluation, provisions have been included in the agreement that limit the subject property to daily wastewater discharge not to exceed a maximum of 12,000 gallons per day. This provision was added to ensure that available capacity in the sewer system is retained for surrounding non-developed property. Additionally, the agreement includes provisions relating to the applicant's payment of all construction and permitting costs for sewer improvements and payment of connection charges as required by Chapter 22 of the City Code.

The property is subject to Grindstone Watershed Cooperative Connection Agreement between the City of Columbia and the Boone County Regional Sewer District. As such, a separate connection agreement does not need to be prepared for this annexation agreement.

In addition having access to public sewer, the site also receives public utilities from Boone Electric and Public Water District #9. Public safety services are presently provided by Boone County. Upon annexation utility services would not change; however, police protection and trash collection would become the responsibility of the City and fire protection services would be provided by both the City of Columbia and the Boone County Fire Protection District. Pursuant to adopted legislation, property annexed into the City is not removed from the Fire Protection District's service territory.

Staff's believes that the proposed annexation agreement and its provisions relating to sewer connection obligations, UDC development compliance, and adherence to the City's adopted Fire Code afford opportunities to responsibly develop the subject acreage in light of its location as well as defines the process in which an orderly expansion of the City's municipal boundary can occur in the future, if desired.

Locator maps and the executed annexation agreement with exhibits 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, trash collection, and roadway infrastructure maintenance costs; however, such impacts would only be realized upon formal annexation of the property.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

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

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Approve the annexation agreement, as submitted, and authorize the City Manager to sign it.