



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 7, 2021

Re: Timberbrook Annexation - Public Hearing (Case #163-2021)

Executive Summary

This request will meet the State Statute requirements for conducting a public hearing on the proposed annexation of 21.21 acres of land located on the west side of Scott Boulevard at Copperstone Creek Drive.

Discussion

Crockett Engineering (agent), on behalf of the Trustees of the Eric-Lori Kurzejeski Trust (owners), is seeking approval to annex approximately 21.21 acres into the City's corporate limits. The site is located generally northwest of the intersection of Scott Boulevard and Copperstone Creek Drive. The subject acreage is contiguous to the City's municipal boundary along its eastern and southern property boundaries. The site has access to Mill Creek Trunk Sewer Main that crosses the southwest quadrant of site. There are no known sewer capacity issues with the main. The site is served fully by all other City utilities.

Case #132-2020, the permanent zoning request associated with this action, is scheduled for introduction before Council on June 7th. The applicants are seeking to permanently zone the subject parcel from County R-S (Single-Family Residential) to City R-1 (One-Family Dwelling). The proposed permanent zoning is considered consistent with the existing County zoning. The requested annexation and permanent zoning is sought to permit the development of a 35-lot single-family subdivision and is required pursuant to the Policy Resolution 115-97A given the property's adjacency to the City boundary and desire to access the City's sewer system.

Given the desired development of the property and its existing non-legal lot status, the applicant concurrently submitted for review and approval a 35-lot single-family development (Case #131-2021). The proposed preliminary plat (attached) is to be known as "Timberbrook" and will be presented to Council for consideration on June 21. Approval of the preliminary plat would authorize the applicant to proceed forward with the preparation of a final plat and construction plans for improvement of the acreage.

Per State Statute, a public hearing must be no less than 14 days 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. Public notice of this public hearing was provided 7 days in advance of its date. Additionally, as part of the permanent zoning request the subject site was advertised in the newspaper and posted with public hearing sign 15 days in advance of the Planning Commission's May 6



hearing date. Furthermore, mailed notice of the Commission's May 6 public hearing was provided to all property owners within 185-feet and Neighborhood Associations within 1,000-feet of the site 15 days in advance.

The Planning and Zoning Commission considered the permanent zoning of the subject property at their May 6, 2021 meeting. The Commission voted in favor of the requested R-1 zoning, upon annexation, by a vote of 8-0. The full Planning and Zoning Commission staff report and meeting excerpts are attached to the permanent zoning request (Case #132-2021) which is being concurrently introduced on the June 7 Council agenda.

Locator maps and the proposed preliminary plat 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 developer.

Long-Term Impact: 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: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

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

Legislative History

Date	Action
5/17/2021	Setting a public hearing on voluntary annexation. (Res. 76-21).

Suggested Council Action

Hold the public hearing for the annexation as required by State Statute.