



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 16, 2020

Re: 3805 Cherry Bark Court – Annexation Agreement (Case #50-2020)

Executive Summary

Approval of this item will authorize the City Manager to execute an annexation agreement with the owners of 3805 Cherry Bark Court (Danny Summers and Sylvia Greer) thereby allowing the subject property to be connected to the city's sanitary sewer as part of its future improvement with a newly constructed detached single-family home. The subject site is presently contiguous to the City's municipal boundary and would typically be required to seek a "direct" annexation into the City's corporate limits; however, was authorized to connect to the city's sanitary sewer through the attached an annexation agreement pursuant to Resolution 36-20 approved by Council during its March 2, 2020 meeting.

Discussion

Haden & Colbert (agent), on behalf of Danny Summers and Sylvia Greer (owners), are seeking Council approval to enter into an annexation agreement with the City of Columbia so that their property located at 3805 Cherry Bark Court may be permitted to connect to the city's sanitary sewer system. The connection of the owner's lot is in advance of its future improvement with a new single-family dwelling.

The subject property is presently contiguous with the City's corporate boundary along its southern property line and as such would typically be required to follow the "direct" annexation provisions of Policy Resolution 115-97A. However, during the March 2, 2020 Council meeting, Resolution 36-20 (attached) was approved permitting the applicant's to seek approval of the attached annexation agreement given the unique circumstances associated with the development of their lot.

The subject parcel is the last remaining undeveloped lot within the Country Woods Subdivision Plat 1 (recorded in 1977) and is located within a subdivision that has been fully built out with public infrastructure. Water is supplied to the subject lot and those within the surrounding three county-approved subdivisions by Consolidated Water District No. 1. The subject lot and the three adjoining lots located on Cherry Bark Court are served by a 2-inch water line that is sufficient to support domestic water flow only and there is no fire hydrant along the street. Cul-de-sac lots within the adjoining subdivisions are similarly served by 2-inch water lines. Non-cul-de sac lots within the surrounding subdivisions are served by 4-inch water lines.

As described in the attached Resolution, the subject parcel cannot obtain a Boone County building permit without having access to sanitary sewer or meeting all City of Columbia development standards. The City development standards most impacting and prompting



City of Columbia

701 East Broadway, Columbia, Missouri 65201

the Resolution's approval pertained to fire protection of the proposed new structure and the expenses associated with achieving such protection. As further described in the attached Resolution, the Boone County Fire Protection District has capabilities to provide fire protection to the subject lot which the City does not (i.e. fire tanker trucks) and that following annexation the subject parcel would remain within the service territory of the Fire Protection District pursuant to State Law.

It is additionally important to note that the subject lot, having been platted as part of a 1977 subdivision, is considered "exempt" from the Boone County fire flow standards that would be enforced upon new platted lots. As such, pursuant to County Building Officials, a permit for construction of a new structure upon the lot would be granted subject to the lot being capable of receiving public sewer or being authorized to install an on-site septic system.

The developed lots within the Country Woods Subdivision Plat 1 and 2 as well as the adjoining two county subdivisions are provided sewer services by the City of Columbia via a "bulk" sewer agreement approved prior to adoption of Policy Resolution 115-97A. Since passage of the Policy Resolution in 1997, four additional single-family homes have been constructed within these subdivisions. Two of the homes were the subject of voluntary annexation requests and two were the subject of annexation agreements prior to obtaining authorization to connect to the City's sewer system. Approval of Resolution 36-20 authorized the applicant's to pursue connection to the City's sewer system through the attached annexation agreement verse the typical "direct" annexation.

Approval of the attached annexation agreement will delay, not waive, the requirement that the subject parcel be brought into the City of Columbia's corporate limits. The annexation delay, would allow the new single family dwelling to be constructed following all Boone County development standards.

The attached annexation agreement includes provisions (Paragraph 8) that states within 60 days of being issued a certificate of occupancy for the newly constructed home by Boone County, the City may, but shall not be obligated to, annex the parcel into its corporate limits without further action of the property owner.

Approval of the attached annexation agreement will ensure that the proposed construction to occur at 3805 Cherry Bark Court will be connected to a public sanitary sewer system. This connection is believed to outweigh the lack of fire flow to the subject property as articulated in Resolution 36-20. Furthermore, approval of the attached agreement and authorization to permit the City Manager to execute it is consistent with the Council approval of the resolution on March 2, 2020.

Locator maps, Resolution 36-20, and a copy of the property owner executed annexation agreement are attached.



Fiscal Impact

Short-Term Impact: None. All infrastructure extension will be at developer's expense.

Long-Term Impact: Long-term impact would include infrastructure maintenance and public service provision (i.e. trash collection). Such increased costs may be offset by increased property taxes and user fees.

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: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
3/2/2020	Authorized use of an annexation agreement to pursue access to public sanitary sewer. (R36-20)

Suggested Council Action

Authorize the City Manager to execute an annexation agreement between the City of Columbia and Danny Summers and Sylvia Greer permitting 3805 Cherry Bark Court to connect to the City's sanitary sewer system.