



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 20, 2021

Re: 5500 W. Van Horn Tavern Road - Annexation Public Hearing (Case #226-2021)

Executive Summary

This request will meet the State Statute requirements for conducting a public hearing on the proposed annexation of approximately of approximately 121 acres of land addressed 5500 W. Van Horn Tavern Road.

Discussion

Crockett Engineering (agent), on behalf of MFL Golf, LLC (owner), is seeking approval to annex approximately 121 acres into the City's corporate limits. The property is addressed 5500 W. Van Horn Tavern and is presently improved with Midway Golf and Games and used for multiple outdoor entertainment activities. The property is located approximately 1,800' east of the intersection of Highway UU and Van Horn Tavern Road. The property is contiguous to the City's corporate boundary along its eastern property line where it adjoins the City's Strawn Road Park on the east side of Perche Creek.

The annexation is desired so the applicant can connect to public sewer in advance of future expansion of the recreational uses on site and the potential construction of a restaurant. Pursuant to Policy Resolution 115-97A such a connection requires either an annexation agreement or "direct" annexation. Given the parcel is contiguous with the municipal boundary an annexation is required; an agreement could be prepared if desired.

The purpose of the annexation public 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. It should be noted that consent to annex the property will not result in future development occurring without additional regulatory review or compliance with applicable City development standards. The property is not considered a legal lot and will need to be platted before building permits could be issued.

Furthermore, the applicant has requested consideration of two concurrent actions along with the proposed annexation which include a request for permanent zoning (Case #227-2021) and issuance of a conditional use permit (Case #253-2021). These actions will be introduced on the Council agenda on September 20 and with tentative final action scheduled for October 4.

The applicant's request for permanent zoning proposes a combination of zoning classification to address the site's environmental constraints. The site is currently zoned County REC (Recreation) and is sought to be zoned City M-N (Mixed Use- Neighborhood; approx. 6 acres) and O (Open Space; approx. 115 acres) upon annexation. The applicant's



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request for M-N zoning is principally driven by the desire to construct a restaurant that would support the overall outdoor recreation and entertainment uses.

As noted, a conditional use permit (CUP) is also sought in association with the annexation request to allow the existing "outdoor recreation or entertainment" uses to continue to operate on the 115 acres sought to be zoned O. As described in the Council memo for Case #253-2021, such uses are permitted "by-right" within either the M-C (Mixed-use Corridor) or IG (Industrial) zoning districts and via CUP in the O district. Neither M-C or IG were deemed appropriate by staff for the subject site given numerous environmental constraints as well as limited accessibility and as such the applicant has requested the zoning categories and CUP accordingly.

The staff reports for these cases provide additional information and analysis relating to the appropriateness of the requested zoning categories following review of the current land use and development pattern of the area, existing conditions (including environmental constraints). Furthermore, the staff report for the CUP specifically proposed supplemental conditions be tied the permit that are intended to mitigate the impacts of potential expansion of existing or introduction of additional recreation or outdoor entertainment uses on the site.

As noted, the subject acreage is not deemed to be a "legal lot" and will be subject to the platting standards of the UDC. The requirement that the applicant submit a Traffic Impact Analysis to address accessibility concerns related to further expansion of the uses on the site is also discussed in detail in the staff reports. The staff reports, supplemental documents, as well as full Planning and Zoning Commission public hearing minutes are provided for Council consideration under separate cover on the September 20 agenda for each case, respectively.

The subject site is within the Urban Service Area as presented in Columbia Imagined and has access to an existing City sanitary sewer line to the east. According to the Utilities Department, there is a 60" City sewer trunk line east of Perche Creek from which the applicant can extend sewer into the subject property for future service. This line is not "capacity-constrained" and would be capable of accepting new sewage flow from the subject site. Extension of sewer would be at the expense of the applicant and subject to applicable connection charges assessed to similar city development. Boone Electric and Consolidated Water District #1 provide electric and water services, respectively. Fire protection would be principally provided by the City of Columbia and may be augmented, as needed, by the Boone County Fire Protection District.

Road access is via Van Horn Tavern Road which is maintained by Boone County up to a bridge across a tributary of Perche Creek, at which point the roadway is private. The nearest public road access that connects to the existing city street network is via U.S. 40/I-70 from its interchange with highway UU.



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Public notice relating to the proposed permanent zoning was provided 15 days in advance of the Commission's August 19 meeting via a published newspaper ad, on-site signage indicating the site was the subject of a public hearing, and written notification to all property owners as well as Homeowners Associations within 185' and 1000,' respectively.

Locator maps 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 applicant.

Long-Term Impact: Public infrastructure maintenance associated with sanitary sewer as well as 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: Reliable Infrastructure, Secondary Impact: Inclusive Community, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Not Applicable

Legislative History

Date	Action
09/07/2021	Set public hearing on annexation. (Res. 143-21)

Suggested Council Action

Hold the public hearing for the requested annexation on September 20, 2021 as required by state statute.