

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B134-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 19, 2014

Re: #14-54: 1339 Prathersville Road - Annexation, Permanent Zoning

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: Summary of Board/Commission Reports, Maps, Excerpts from Minutes

Executive Summary

A request by T.K. Livingston (contract purchaser) to annex 2.0 acres into the City of Columbia and assign C-3 (General Business District) as permanent City zoning. The subject site is located on the north side of Prathersville Rd, approximately 400 feet east of St Hwy 763. (Case #14-54)

Discussion

The applicant is requesting permanent C-3 (General Business District) zoning pending annexation of the subject property into the City of Columbia. The subject property abuts the City's municipal boundary along Prathersville Road – the subject property's southern property line. See attached Planning and Zoning report for further information.

At its meeting on May 8, 2014, the Planning and Zoning Commission voted unanimously (7-0) to recommend approval of the proposed permanent zoning. The applicant, Mr. Livingston was present and gave an overview of the request. There was limited discussion from the Commission and no one from the public spoke regarding the request.

A copy of the Planning and Zoning Commission staff report, which includes locator maps, and an excerpt of the meeting's minutes is attached.

Fiscal Impact

Short-Term Impact: As a developed property, the City of Columbia will gain City tax and fee revenues. The annexation and rezoning will not create additional burden on infrastructure and services..

Long-Term Impact: As properties around the subject tract are annexed, the City will have an increasing role in the maintenance of Prathersville Road.

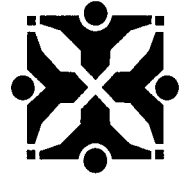
Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

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Comprehensive Plan Impact: Not Applicable

Suggested Council Action

Approval of the proposed C-3 zoning upon annexation of the subject property on June 2, 2014.

Legislative History

None.


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 134-14

AN ORDINANCE

extending the corporate limits of the City of Columbia, Missouri, by annexing property located on the north side of Prathersville Road and east of State Highway 763 (1339 Prathersville Road); directing the City Clerk to give notice of the annexation; placing the property annexed in District C-3; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby finds that a verified petition was filed with the City on March 26, 2014, requesting the annexation of land which is contiguous and compact to the existing corporate limits of the City and which is described in Section 4 of this ordinance. The petition was signed by Jerry Jones, member of T&J Investments, LLC, the owner of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on May 19, 2014. Notice of this hearing was published more than seven days prior to the hearing in a newspaper of general circulation qualified to publish legal matters. At the public hearing all interested persons, corporations and political subdivisions were permitted to present evidence regarding the proposed annexation.

SECTION 2. The Council determines that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

SECTION 3. The Council determines that no written objection to the proposed annexation has been filed within fourteen days after the public hearing.

SECTION 4. The City Council hereby extends the city limits by annexing the land described in Section 1-11.____ **[number to be assigned by the City Clerk]** of the Code of Ordinances of the City of Columbia, Missouri, which is hereby added to Chapter 1 of the City Code and which reads as follows:

Section 1-11.____ **[number to be assigned by the City Clerk]**. June, 2014 Extension of Corporate Limits.

The corporate limits of the City of Columbia shall include the following land:

A tract of land located in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Forty-nine (49) North, Range Twelve (12) West, more particularly described by Survey recorded in Book 1375, Page 179 Boone County, Missouri records.

SECTION 5. The City Clerk is hereby authorized and directed to cause three certified copies of this ordinance to be filed with the Clerk of Boone County, Missouri and three certified copies with the Assessor of Boone County, Missouri. The City Clerk is further authorized and directed to forward to the Missouri Department of Revenue, by registered or certified mail, a certified copy of this ordinance and a map of the City clearly showing the area annexed to the City.

SECTION 6. The property described in Section 4 is in the Second Ward.

SECTION 7. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended so that the property described in Section 4 will be zoned and become a part of District C-3 (General Business District).

SECTION 8. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

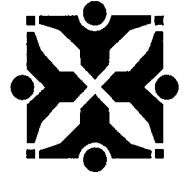
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Summary of Board/Commission Reports, Maps, Excerpts from Minutes

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
May 8, 2014**

SUMMARY

A request by T.K. Livingston (contract purchaser) to annex 2.0 acres into the City of Columbia and assign C-3 (General Business District) as permanent City zoning. The subject site is located on the north side of Prathersville Rd, approximately 400 feet east of St Hwy 763. (Case #14-54)

DISCUSSION

The applicant is requesting permanent C-3 (General Business District) zoning pending annexation of the subject property into the City of Columbia. The pending annexation will be considered by City Council at its May 19 meeting. The subject property abuts the City's municipal boundary along Prathersville Road – the subject property's southern property line.

The site is improved with multiple buildings that are utilized by Same Day Affordable Service, an HVAC company, and a U-Haul vehicle rental business. Pacific Gas also leases a portion of the property and has a facility on the south end of the lot.

The County zoning is R-M (Moderate Density Residential); however, as noted above, the property is currently utilized by several commercial businesses. Surrounding zoning includes commercial and industrial with the exception of the property adjacent and to the north which is zoned County R-M (Moderate Density Residential). The R-M property is owned and utilized by APAC, a road construction company.

The site is contained within the City's Urban Service Area, which identifies areas that either already have access to, or will have access to the City's sanitary sewer system within the next five years, according to the Capital Improvement Program.

The property is identified in Columbia Imagined as "Neighborhood District", but the current use of the property is commercial. Given the surrounding zoning and likely development patterns along Prathersville Road, staff finds that zoning the property for commercial use is more appropriate than its current classification. The proposed zoning is compatible with the surrounding City and County zoning and should not have a detrimental impact on adjacent properties.

RECOMMENDATION

Approval of the proposed zoning to C-3 upon annexation.

SUPPORTING DOCUMENTS

Attachments

- Aerial and topographic maps

HISTORY

Annexation date	Annexation pending approval on June 2, 2014
Existing Zoning District	R-M (Moderate Density Residential)
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	Surveyed tract

SITE CHARACTERISTICS

Area (acres)	2.0 acres
Topography	Flat
Vegetation/Landscaping	Limited landscaping
Watershed/Drainage	Cow Branch
Existing structures	Three buildings associated with commercial use, approximately 5,000 sq. ft.; Other structures associated with Pacific Gas facility

UTILITIES & SERVICES

Sanitary Sewer	On-site lagoon
Water	City Water & Light
Fire Protection	Boone County Fire Protection District
Electric	Boone Electric Cooperative

SURROUNDING ZONING/LAND USE

North	County R-M (Moderate Density Residential)	Industrial
South	County M-L (Light Industrial) City M-1 (General Industrial)	Commercial
East	County M-LP (Planned Industrial)	Vacant
West	County C-G (General Commercial)	Vacant

ACCESS

Prathersville Road	
Location	South side of site
Major Roadway Plan	Minor Arterial requiring 100' ROW. 50' existing ROW maintained by Boone County. Additional ROW may be required at time of future development.
CIP projects	None

PARKS & RECREATION

Neighborhood Parks	No existing or planned parks within one-half mile.
Trails Plan	No trails planned adjacent to site.
Bicycle/Pedestrian Plan	Prathersville Road classified as a Pedway.

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on April 15, 2014.

Public information meeting recap	Number of attendees: None Comments/concerns: None
Neighborhood Association(s) notified	None
Correspondence received	None



14-54: 1339 Prathersville Road Annexation & Zoning



Hillshade Data: Boone County GIS Office
Parcel Data Source: Boone County Assessor
Imagery: Boone County Assessor's Office, Sanborn Map Company
Created by The City of Columbia - Community Development Department

0 175 350 700
Feet



14-54: 1339 Prathersville Road Annexation & Zoning



**EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
MAY 8, 2014**

Case No. 14-54

A request by T.K. Livingston (contract purchaser) to annex 2.0 acres into the City of Columbia and assign C-3 (General Business District) as permanent City zoning. The subject site is located on the north side of Prathersville Road, approximately 400 feet east of State Highway 763.

DR. PURI: Staff report, please?

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the proposed zoning to C-3 upon annexation.

DR. PURI: Commissioners, any questions of the staff? Seeing none.

PUBLIC HEARING OPENED

DR. PURI: Anybody wishing to speak on this, please approach the podium, state your name and address.

MR. LIVINGSTON: Yes. My name is T.K. Livingston; I'm the developer on the property. My address is 4034 Creasy Springs. We're currently working with the water and sewer district because of issues in reference to the lagoon. It's outdated. We're bringing the lagoon up to code. We're connecting into the City sewer system on the backside. So we're solving some issues that have been there for a long time. I guess we were told that they have been like this for a long time and it hasn't been a big issue, but I am looking at using the property, which I'm currently using as storage, to build more storage on it. So we're currently -- have U-Haul there. We currently do storage and that's what our intent is to use the property for. I can answer any questions if have any.

DR. PURI: Commissioners, any questions of the speaker? Mr. Tillotson?

MR. TILLOTSON: I just had a little -- just an information question for me. So when he hooks up to the sewer, now the lagoon will go away?

MR. LIVINGSTON: That's correct, yeah.

DR. PURI: Mr. Wheeler?

MR. WHEELER: I've got just -- just because I'm curious and this -- does AmerenUE then lease that front section for that --

MR. LIVINGSTON: The front part of the property is leased from Pacific Gas, which supplies the gas line into Columbia, which is part of AmerenUE, their conglomerate. So, yes, the front part of that is leased out long-term by Pacific Gas, so there's a major gas line in front of it.

MR. WHEELER: Thank you.

DR. PURI: Any other questions of this speaker? Thank you, sir. Anybody else wishing to speak on the matter? Seeing none.

PUBLIC HEARING CLOSED

DR. PURI: Discussion, Commissioners? Mr. Wheeler?

MR. WHEELER: This would probably be the easiest thing T.K. ever brought us, but this seems very reasonable. I'm in support of it and I'd make a motion that we recommend approval.

MR. STANTON: I second.

DR. PURI: Mr. Wheeler makes a motion; Mr. Stanton, second. Roll call, please?

MR. STRODTMAN: Yes, sir, Mr. Chair. This is for Item 14-54, approval of the proposed zoning to C-3 upon annexation.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Tillotson, Mr. Wheeler, Ms. Burns, Mr. Lee, Dr. Puri, Mr. Stanton, Mr. Strodtman. Motion carries 7-0.

MR. STRODTMAN: Approval of the motion will be forwarded to City Council for consideration.