



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 3, 2021

Re: 2550 and 2700 E. Gans Road - Permanent Zoning Upon Annexation (Case #91-2021)

Executive Summary

This request will assign permanent R-1 (One-Family Dwelling District) zoning upon annexation to approximately 65.35 acres located at the southeast corner of E. Gans Road and S. Bearfield Road addressed as 2550 and 2700 E. Gans Road.

Discussion

Crockett Engineering (agent), on behalf of Summit Medical Supplies LLC and William E. Stricker (owners), seeks to permanently zone 65.35 acres of land to City R-1 (Single Family Dwelling District) from County A-1 (Agriculture) upon annexation. The subject site is addressed 2550 E. Gans Road and 2700 E. Gans Road. A public hearing pertaining to the annexation of the subject acreage will occur on May 3 as is required. A concurrent preliminary plat (Case #89-2021), to be known as "Canton Estates," is scheduled for consideration on the May 17 Council agenda. The final consideration of annexation and permanent zoning of the subject acreage will also occur on the May 17 Council agenda.

Overview

The subject property is contiguous to the City's corporate boundary along its northern property line, north of Gans Road, where it abuts an undeveloped tract at the northeast corner of Gans Road and Bearfield Road included in the 2004 Philips Farm annexation action. The permanent zoning and annexation of the subject acreage will authorize it to be connected to the City's sanitary sewer system in advance of its proposed development as a 113-lot single-family subdivision. Approval of the concurrent preliminary plat (Case #89-2021) would authorize the applicant to proceed forward with preparation of a final plat and construction plans. Approval of both would be required prior to the issuance of building permits.

Numerous public comments (attached) were received prior to, and during the Planning and Zoning Commission's April 8 meeting on the proposed assignment of R-1 zoning and the Canton Estates Preliminary Plat. Public concern was expressed about the impacts that annexing and assigning R-1 zoning on the subject acreage may create specifically regarding the impact to Rock Bridge Memorial State Park and its eco-system as well as the Clear Creek and Bonne Femme watersheds. A summary of these concerns is provided below in addition to staff's analysis on whether the requested zoning district is appropriate for the subject acreage should the Council approve the associated annexation petition.

Staff reviewed how proposed zoning correlates with the City's comprehensive plan and how such assignment would integrate and impact the surrounding properties. What is permitted



City of Columbia

701 East Broadway, Columbia, Missouri 65201

under a property's County zoning versus the development opportunities and restrictions inherent to the City zone which is being requested may also be a part of any such evaluation. It should be noted the subject acreage's County A-1 (Agriculture) zoning, which permits agricultural uses and homes on lots containing 10+ acres, does not preclude the property from being intensely used for agricultural purposes. Additionally, the property does not have the ability to be connected to City sewer without annexation pursuant to the provisions of Ordinance #115-97A which governs the extension of public sewer.

Existing conditions

Presently, the site is comprised of two lots bordered on the north by E. Gans Road, the east by two properties, the south by the Rock Bridge Memorial State Park, and the west by S. Bearfield Road and a separately owned residential property which has the appearance of a "notch-out". The property to the north, across E. Gans Road, by which the site is contiguous to the City's corporate boundary was annexed into the City in 2004 and zoned PD (Planned Development). On the south side of E. Gans Road, approximately 0.25 miles to the east, is the Gans Creek Recreation Area which is also within the City's corporate boundary, and is zone R-1.

The existing land use pattern surrounding the subject site consist of a mixture of land uses. Adjoining County properties to the east and south (Rock Bridge Memorial State Park) are zoned A-1 and to the west, across S. Bearfield Road, are properties zoned R-S (Single-family, 7000 sq.ft. lots) and A-2 (Agriculture on 2.5 acres). The R-S zoned property is improved with the Bearfield Subdivision which contains 28, approximately ¼-acre (10,000 sq.ft.) lots, accessed from a single roadway. Nearby City properties include the Bristol Lake Subdivision to the northeast, north of E. Gans Road, zoned PD and the City's Gans Creek Recreation Area, 0.25-mile to the east, zoned R-1 and improved for use as a regional park. The surrounding land use conditions are not incompatible with the requested R-1 zoning, though additional considerations are discussed below.

The subject property is generally within the boundaries of the Urban Service Area as presented in the Columbia Imagined Comprehensive Plan, though the rear of the property, is bisected by the Urban Services Area given the boundary line of the service area was established using watershed ridge lines rather than property lines. While such condition exists, the intent of the USA is met as the entirety of the property is serviceable by existing sanitary sewer infrastructure. City services to be provided, upon annexation, would include sewer, solid waste, and police protection. Fire protection services would be shared by the City of Columbia and the Boone County Fire Protection District, pursuant to State legislation. Electric service would be provided by Boone Electric.

Plan consistency

In terms of the application of the Columbia Imagined Plan's Future Land Use Map, the proposed R-1 zoning fits the "neighborhood" district designation which is intended to support a variety of residential housing types and limited supporting services. The subject site is further shown as being located within a "sensitive features" area of the City as it is



City of Columbia

701 East Broadway, Columbia, Missouri 65201

immediately adjacent to the Rock Bridge Memorial State Park and the designated Gans Wild Area within the Park that is accessible from the southern terminus of S. Bearfield Road.

By design, the R-1 district is the City's least dense residential zoning classification allowing a maximum net density of 6.2 dwelling units/acre. The R-1 district; however, is typically improved at four dwelling units/acre or less given required regulatory set asides such as setbacks, right of ways, drainage features and other factors inherent to site development. The R-1 district is also the most limited residential zone with respect to its permitted uses allowing only single-family homes and several other non-residential uses such as churches, parks, schools and some public service uses (see Chapter 29.3 of the UDC for permitted uses).

Annexation and infrastructure

The preponderance of newly annexed property comes into the City's corporate boundary as R-1. As such, the requested permanent zoning is not inconsistent with general practice and is believed to be appropriate for the acreage given its low intensity of allowed uses and its limited density. These limitations are viewed as opportunities to control the impact that future development may create such that they do not overwhelm existing infrastructure capacity. However, annexation and the related potential for City-style development often feels premature at the fringe of the City's urbanized area where the surrounding land use is rural/undeveloped. Additionally, these areas are often not well-served by services and multi-modal transportation options, and are often surrounded by unimproved public infrastructure (i.e. roadways). The expansion of the corporate limits is often a "chicken or egg" proposition in which there is a need to balance investments in infrastructure before development occurs with investments in infrastructure driven by proposed or approved development.

For the subject property, the PZC staff reports for cases #89-2021 & #91-2021 discuss the concerns of the unimproved condition of E. Gans Road and S. Bearfield Road. Additionally, the reports discuss the location of the site along an east-west roadway corridor that would connect Highway 163 to US 63 for which an improvement study (Gans Road) has been conducted and that the site is situated approximately ½ mile from the US 63/Discovery Parkway interchange. These attributes, in staff's opinion, further support the appropriateness of the requested R-1 zoning for the site. The area is in the process of conversion from agricultural use to more urbanized uses on the north side of E. Gans Road and this request appears to be the logical extension southward. Development further south of the subject site will be limited given the State Park property. The PZC staff reports also include discussion on land preservation tools which may be pursued outside of, or in addition, to the City's regulatory processes, as well as the environmental regulations which apply to all property within the City's corporate boundary.

Public comments

The preponderance of public input received for this request has been in opposition, with the impacts of the density of the proposal (and related elements such as traffic, light, noise and impervious surfaces on water quality) and its impacts on Rockbridge Memorial State Park and the Little Bonne Femme watershed at the forefront of the concerns. Given the public



City of Columbia

701 East Broadway, Columbia, Missouri 65201

comments received, staff provided consideration in the PZC staff report on potential alternative zoning to address those concerns while also accommodating the applicant's desired development objectives. The only district that would permit a "conditioned" approval is the City's PD (Planned Development) district.

Zoning alternatives

Pursuing assignment of Planned District (PD) zoning, however, must begin with a careful understanding of the benefits and drawbacks of the zoning classification. Typically, developers propose planned districts when their development concept does not conform to conventional zoning districts. PD zoning is best applied to development parcels to allow for superior development patterns not envisioned or well accounted for in the existing zoning code, or to permit more intensive uses that would otherwise not be appropriate without tailored scale or mitigating design factors. Given the existing infrastructure limitations surrounding subject site, development greater than the proposed R-1 is not supported by staff; therefore, the value of added regulatory processes associated with PD zoning is not believed appropriate. Planned District zoning traditionally has been used as *compromise zoning* or as *bridge zoning* when many of the more recently adopted environmental regulations (such as Chapter 12A and the UDC) were envisioned but not yet enacted. The City has made changes in recent years to strengthen its codes and reduce this dependence on PD zoning for "bridge" legislation.

Planning & Zoning Commission recommendation

The Planning and Zoning Commission considered the assignment of permanent zoning at their April 8, 2021 meeting. Following lengthy and significant testimony from the public mostly in opposition, questions of the speakers including the applicant, the Commission voted against the R-1 zoning by a vote of seven (7) against and one (1) in favor. Commissioners expressed concerns regarding the sensitive nature of the surrounding land, reservations that R-1 District zoning was sufficiently protective of the environment, and (for some) a preference for more restrictive, low-impact zoning. The complete staff reports and associated minutes pertaining to the Commission's hearing, as well as a record of all written public comments are included for Council's review.

The Planning and Zoning Commission staff report, locator maps, zoning graphic, proposed preliminary plat, public correspondence, and excerpts from the meeting minutes 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 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: 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
4/19/21	Setting a public hearing on voluntary annexation. (Res. 55-21)

Suggested Council Action

By a vote of 7 against, 1 in favor, the Planning & Zoning Commission recommends denial of the proposed R-1 zoning.