

Source: Community Development - Planning <sup>W</sup>

Agenda Item No: Item A

To: City Council  
From: City Manager and Staff *MM*

Council Meeting Date: Jan 22, 2013

Re: Dale-Jeanne Powell Trust - Annexation request (Case # 12-219)

**EXECUTIVE SUMMARY:**

A request by Dale-Jeanne Powell Trust (owner) for annexation and PUD-4 (a Planned Unit Development allowing up to four dwelling units per acre) zoning. The 5-acre subject site is located on the south side of Richland Road, and is addressed 5000 E. Richland Road. (Case #12-219)

**DISCUSSION:**

The subject site is located within the Grindstone Creek drainage basin. It loses approximately 28 feet of elevation from its west to east side, where it abuts an unnamed lake. A 2,200 square foot single-family home and a small outbuilding are situated in the middle of the property.

The applicant is requesting annexation for the purpose of connecting to City sewer and adding five two or three unit residences to the site for use as an elderly group home complex.

The site is currently zoned County R-S (Single-family Residential), and the applicant is requesting City PUD-4 (a Planned Unit Development District allowing up to four units per acre) zoning. The Planning and Zoning Commission will make a recommendation on the permanent zoning request at its January 24, 2013 meeting.

Locator maps are attached.

**FISCAL IMPACT:**

None.

**VISION IMPACT:**

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

**SUGGESTED COUNCIL ACTIONS:**

If the Council finds the request for annexation reasonable and necessary to the proper development of the City, a resolution should be passed setting a public hearing and introduction of an ordinance for February 4, 2013.

| FISCAL and VISION NOTES:                   |        |                                                   |    |                                               |     |
|--------------------------------------------|--------|---------------------------------------------------|----|-----------------------------------------------|-----|
| City Fiscal Impact<br>Enter all that apply |        | Program Impact                                    |    | Mandates                                      |     |
| City's current net FY cost                 | \$0.00 | New Program/ Agency?                              | No | Federal or State mandated?                    | No  |
| Amount of funds already appropriated       | \$0.00 | Duplicates/Expands an existing program?           | No | Vision Implementation impact                  |     |
| Amount of budget amendment needed          | \$0.00 | Fiscal Impact on any local political subdivision? | No | Enter all that apply:<br>Refer to Web site    |     |
| Estimated 2 year net costs:                |        | Resources Required                                |    | Vision Impact?                                | No  |
| One Time                                   | \$0.00 | Requires add'l FTE Personnel?                     | No | Primary Vision, Strategy and/or Goal Item #   | N/A |
| Operating/ Ongoing                         | \$0.00 | Requires add'l facilities?                        | No | Secondary Vision, Strategy and/or Goal Item # | N/A |
|                                            |        | Requires add'l capital equipment?                 | No | Fiscal year implementation Task #             | N/A |



2011 Orthophoto  
Source: Boone County Assessor

## Case 12-219: Annexation/Zoning Dale-Jeanne Powell

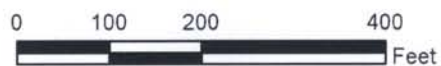
0 150 300 600  
Feet

1 inch = 300 feet





**Case 12-219: Annexation/Zoning  
Dale-Jeanne Powell**



1 inch = 200 feet



Introduced by \_\_\_\_\_ Council Bill No. R 13-13

**A RESOLUTION**

setting a public hearing on the voluntary annexation of property located on the south side of Richland Road, approximately 700 feet west of Bay Hills Drive (5000 East Richland Road).

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

SECTION 1. A verified petition requesting the annexation of certain lands owned by the Dale-Jeanne Powell Trust was filed with the City on January 12, 2013. A copy of this petition, which contains the description of the property, marked "Exhibit A," is attached to and made a part of this resolution.

SECTION 2. The land proposed to be annexed lies in an unincorporated portion of Boone County, which is contiguous and compact to the existing corporate limits of the City of Columbia, Missouri.

SECTION 3. In accordance with Section 71.012, RSMo, a public hearing on this annexation request shall be held on February 4, 2013 at 7:00 p.m. in the City Council Chamber of the City Hall Building, 701 E. Broadway, in the City of Columbia, Missouri.

SECTION 4. The City Clerk shall cause notice of this hearing to be published at least seven days before the hearing in a newspaper published in the City.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

# PETITION REQUESTING ANNEXATION TO THE CITY OF COLUMBIA

John Dutemple, Trustee of the Dale-Jeanne Powell Trust hereby petitions the City Council of the City of Columbia to annex the land described below into the corporate limits of Columbia and, in support of this petition, states the following:

1. John Dutemple, Trustee of the Dale-Jeanne Powell Trust is the owner of all fee interests of record in the real estate in Boone County, Missouri, described as follows:

Legal Description (See Attached)

2. This real estate is not now a part of any incorporated municipality.
3. This real estate is contiguous and compact to the existing corporate limits of the City of Columbia, Missouri.
4. John Dutemple, Trustee of the Dale-Jeanne Powell Trust requests that this real estate be annexed to, and be included within the corporate limits of the City of Columbia, Missouri, pursuant to Section 71.012, RSMo 1994.
5. Petitioner requests that the property be zoned PUD-4 at the time of annexation. If the requested zoning is not granted by the proposed ordinance annexing the property, petitioner reserves the right to withdraw this petition requesting annexation.

Dated this 12<sup>TH</sup> day of JANUARY, 20013.

STATE OF MISSOURI)

COUNTY OF ~~BOONE~~

St

ST LOUIS CITY

) ss.

## VERIFICATION

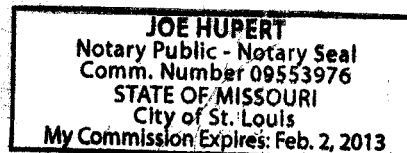
The undersigned, John Dutemple, being of lawful age and after being duly sworn states and verifies that they have reviewed the foregoing Petition for Voluntary Annexation, and that they are duly authorized to execute the foregoing instrument and acknowledge the requests, matters and facts set forth therein are true and correct to the best of their information and belief.

John Dutemple, Trustee  
John Dutemple, Trustee of the  
Dale-Jeanne Powell Trust

Subscribed and sworn to before me this 12<sup>th</sup> day of JANUARY, 20013.

Joe Hupert  
Notary Public

My commission expires: 2/2/2013



A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI, BEING THE NORTH PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 1207, PAGE 660 AND BEING PART OF PARCEL A OF THE WARRANTY DEED RECORDED IN BOOK 2371, PAGE 70 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15-48-12; THENCE WITH THE NORTH SECTION LINE, N89°17'30"E, 671.73 FEET TO THE NORTHWEST CORNER OF SAID TRACT 1 AND THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N89°17'30"E, 400.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1; THENCE LEAVING SAID SECTION LINE AND WITH THE EAST LINE OF TRACT 1, S1°29'00"W, 104.00 FEET; THENCE LEAVING SAID EAST LINE, S18°31'30"W, 181.85 FEET; THENCE S10°49'00"W, 240.00 FEET; THENCE S40°18'00"W, 80.00 FEET; THENCE S27°15'00"W, 58.00 FEET; THENCE S68°10'00"W, 70.00 FEET; THENCE S84°43'00"W, 110.00 FEET; THENCE N76°10'00"W, 60.00 FEET TO THE WEST LINE OF SAID TRACT 1; THENCE WITH SAID WEST LINE, N1°29'00"E, 641.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES.