



Legislation Text

File #: 19-815, Version: 2

TO: Mayor and Members of City Council

THRU: Kristoff Bauer, ICMA-CM - Deputy City Manager
Gerald Newton, AICP - Development Services Director
Taurus Freeman - Planning and Zoning Divisional Manager

FROM: David Nash, AICP - Senior Planner

DATE: May 28, 2019

RE:
AX19-003: Annexation Request for the Kings Grant Homeowners Association Property- (Northern Side of Burnside Place). Related to P19-13F: Initial Zoning

COUNCIL DISTRICT(S):
Adjacent to District 1 - Kathy Jensen

Relationship To Strategic Plan:
Goal 2: Diverse and Viable Local Economy

Executive Summary:
The property requested for annexation (5.13 acres) is currently owned by the Kings Grant Homeowners Association. The property is used as a community park. At this time, the City Council will have the opportunity to act upon this annexation request. Staff recommends approval of the annexation request. Staff also recommends approval of the initial zoning of Single-Family 10 (SF-10) recommended by the Zoning Commission.

Background:
The Kings Grant Homeowners Association Property is in the Kings Grant neighborhood. It is along the northern side of Burnside Place, south of the Outer Loop. (See Vicinity Map and Legal Description Map, attached.)

The requested annexation area consists of one tax parcel (PIN: 0531-50-7205), and is approximately 5.13 acres. The property is used as a community park for Kings Grant. There is some playground equipment on the property. A pavilion type of building is now being built on the property, which is about 90-percent complete.

In addition to the one tax parcel requested for annexation, the Kings Grant Homeowners Association

also owns an adjoining small parcel along the northern edge of Burnside Place. This parcel is already inside the City. If the City Council annexes the parcel requested for annexation, then the Kings Grant Homeowners Association will be able to recombine the two parcels into one. Recombining the two parcels into one would mean that the community park and pavilion building would have access to Burnside Place.

See the attached Basic Information Sheet for more information about the property.

On April 9, 2019, the Zoning Commission held an initial zoning public hearing for this area. The Zoning Commission voted to recommend approval of the initial zoning to Single-Family 10 (SF-10), if the area is annexed. It is expected that the initial zoning case (P19-13F) will be a consent item at the May 28, 2019 City Council meeting.

Issues/Analysis:

Sufficiency: The City's Real Estate Staff has found the annexation petition to be sufficient. The petition was signed by Harold Stephen Bell, President, Kings Grant Homeowners Association, Inc. (see Sufficiency Memo, attached).

Compliance with Annexation Standard: The one standard that must be met is that the area must be contiguous. This property meets that standard.

Effective Date: The 2011 changes to the state annexation law regarding effective dates require that a contiguous area be annexed either immediately, or on the June 30 after the date of passage of the ordinance, or on the June 30 of the following year after the date of passage of the ordinance. Staff is recommending May 28, 2019, as the effective date.

Compliance with City Development Standards: The City staff has discussed the City codes and state building code standards that will apply to this property.

Financial Impact of Annexation on the Property Owner: The property is currently exempt from taxation. If the property is annexed, it is assumed that the property will remain exempt from taxation. Therefore, there should be no financial impact on the owner.

After annexation, the owner will receive City services. If the owner connects to PWC services, the owner will be eligible for Fayetteville Public Works Commission (PWC) inside-City utility rates, which are less than outside-City rates.

Services: City operating departments and PWC divisions have reviewed the proposed annexation and they should be able to serve the property. (Appendix A provides a summary of services, costs, and revenues.)

Budget Impact:

Analyzing the budgetary impact of an annexation on the City involves comparing projected costs (provided by City operating departments) with projected revenues. Appendix A, attached, shows that no costs or revenues have been projected. The information in Appendix A assumes that the annexation will be effective on May 28, 2019.

Options:

1. Adopt the Annexation Ordinance with an effective date of May 28, 2019, and include approval of the final action consistent with the prior action on the zoning.
2. Adopt the Annexation Ordinance with an effective date of June 30, 2019, and include approval of the final action consistent with the prior action on the zoning.
3. Adopt the Annexation Ordinance with an effective date of June 30, 2020, and include approval of the final action consistent with the prior action on the zoning.
4. Do not adopt the Annexation Ordinance. This option means the property would remain outside the City, and the initial zoning would not occur.
5. Table action on the requested annexation.

Recommended Action:

The City Staff recommends Option 1: that the City Council moves to adopt the proposed ordinance annexing the area effective May 28, 2019, and establish the initial zoning as Single-Family 10 (SF-10) consistent with the prior action on the zoning case.

Attachments:

1. Appendix A-Summary of Services, Costs, and Revenues
2. Vicinity Map
3. Legal Description Map
4. Basic Information Sheet
5. Sufficiency Memo
6. Proposed Annexation Ordinance
7. Photo 1-Shows Playground Equipment
8. Photo 2-Shows Pavilion Building