



Legislation Text

File #: 21-2222, Version: 1

TO: Mayor and Members of City Council

THRU: Telly C. Whitfield, Ph.D. - Assistant City Manager
Dr. Gerald Newton, AICP - Development Services Director
Taurus Freeman, MPA - Planning and Zoning Division Manager

FROM: David Nash, AICP - Senior Planner

DATE: September 27, 2021

RE:
AX21-003. Annexation request for the proposed Greystone South Subdivision, located on the southern edge of Greystone Farms, (REID # 0541120180000), totaling of 29.89 acres \pm , and being the property of Dohn Broadwell Jr., Broadwell Land Company; related to P21-36: Initial Zoning.

COUNCIL DISTRICT(S):
1 - Mayor Pro-Tem Kathy Jensen

Relationship To Strategic Plan:
Strategic Operating Plan FY 2021
Goals 2026

- Goal 2: Responsible City Government Supporting a Diverse and Viable Economy
 - Objective 2.4: Sustain a favorable development climate to encourage business growth
- Goal 3: City Investment in Today and Tomorrow
 - Objective 3.2 - Manage the City's future growth and strategic land use
- Goal 4: Desirable Place to Live, Work and Recreate
 - Objective 4.5 - Ensure a place for people to live in great neighborhoods

Executive Summary:

The applicant, Moorman Kizer & Reitzel, Inc., on behalf of owner Dohn Broadwell Jr. - Broadwell Land Company, has submitted a request to annex 29.89 acres on the southern edge of Greystone Farms. The land is currently vacant, but a new residential subdivision to be known as Greystone South (with 59 single-family units) is proposed for development. Staff recommends annexation of this property.

Staff also recommends approval of the initial zoning to Single-Family Residential 10 (SF-10) in the City. However, at its meeting on June 8, the Zoning Commission recommended denial.

On August 9th, the City Council tabled this application to the September 27th regular Council meeting, at the request of the owner.

After the Council tabled this item, the owner of the property in question and the homeowners of the existing Greystone Farms met on August 13th. According to Curtis Brown, President of the Greystone Farms Homeowners Association, the two side agreed that Single-Family 15 (SF-15) zoning and no zero lot-line subdivision would be appropriate for 29 acres in question. The engineering firm of Moorman, Kizer & Ritzel, Inc. has submitted a revised preliminary plat that meets SF-15 standards.

Background:

The property is on the northern side of the City, east of Ramsey Street, just north of the Interstate-295 interchange. It is along the southern edge of Greystone Farms. To access the area, enter Greystone Farms at the Summerchase Drive entrance; then, turn right on Touchstone Drive, turn right on Hornbuckle Drive, and turn right on Kimberwicke Drive. The area will be developed along with an extension of Kimberwicke Drive.

The property requested for annexation is contiguous to the City. (See Vicinity Map and Legal Description Map, attached.) It consists of one tax parcel (REID # 0541120180000), subdivided when the area is developed.

Broadwell Land Company currently owns the property. The owner plans to build a new residential subdivision on the property. According to current plans, a total of 59 single-family residential units will be built.

This property is in the City's Municipal Influence Area (MIA). Staff assumes the developer will use Public Works Commission (PWC) sewer and water. Using PWC sewer requires that the property be annexed, per City Council Policy 150.2.

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

On June 8, 2021, the Zoning Commission held an initial zoning public hearing for this property. The Zoning Commission recommended denial of the initial zoning to Single-Family 10 (SF-10).

Issues/Analysis:

Sufficiency: The City's Real Estate Staff has found the annexation petition to be sufficient. (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 June 30th after the passage of the ordinance or on the June 30 of the following year after the date of enactment of the ordinance. The recommended effective date is August 9, 2021.

Compliance with City Development Standards: The owners/developers have submitted plans through to the City's Technical Review Committee (TRC), which ensures that the future development will

comply with City standards.

Financial Impact of Annexation on the Property Owners: If the property is annexed, the property tax costs will increase due to the application of the City tax rate. However, this increase will be reduced by eliminating certain taxes such as the Cumberland County fire district tax and the Cumberland County recreation tax. Currently, the property is not in the special use tax program.

The owners will be subject to City property taxes as the property is developed, but the owners will also receive City services. The current owners and future lot owners will also be eligible for 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 should 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 with projected revenues. Appendix A, attached, includes a table and chart showing that the budgetary impact of annexing the area should be positive for the City, especially after FY 25-26. The figures in the table and chart have been updated to reflect an assumed effective date of September 27, 2021.

Options:

1. Adopt the Annexation Ordinance with an effective date of September 27, 2021, 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, 2022, 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, 2023, and include approval of the final action consistent with the prior action on the zoning.
4. Deny the adoption of 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 September 27, 2021, and establish the initial zoning consistent with the prior action on the zoning case.

Attachments:

1. Appendix A-Summary of Services, Costs, and Revenues (Rev 091021)
2. Vicinity Map
3. Legal Description Map
4. Information About Greystone South
5. Basic Information Sheet

6. Sufficiency Memo
7. Proposed Annexation Ordinance (Rev 091021-effective date of 9/27/21)
8. Photos of Subject Property
9. Photos of Surrounding Property