

TERM OF COMMISSION: April Session of the April Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Chambers

PRESENT WERE: Presiding Commissioner Dan Atwill
District I Commissioner Fred Parry
Assistant County Counselor II Ron Sweet
Director Resource Management Stan Shawver
Planner Uriah Mach
Deputy County Clerk Michelle Thompson

The meeting was called to order at 7:00 p.m.

Resource Management

1. **Request by New Field LLC to rezone from C-GP (Planned General Commercial) to R-DP (Planned Two-Family Residential) and approve a Revised Review Plan for NewTown Lot C1 on 1.51 acres, more or less, located at 6855 S Coneflower Ave., Columbia.**
 - **Rezone**
 - **Review Plan**

Stan Shawver read the following staff report:

This request was considered by the Planning & Zoning Commission during its April 18, 2019 meeting.

The minutes for the Planning & Zoning Commission meeting of April 18, 2019, along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The Planning & Zoning Commission conducted a public hearing on this request during its April 18, 2019, regular meeting. There were eight members of the commission present during the meeting.

The property is located at 6855 S. Coneflower Avenue, Columbia, Missouri. The zoning is C-GP with a limit to the C-N uses. The most recent revision to the plan was approved in 2011. Adjacent property is zoned as follows:

North – R-SP

South – A-2

East – R-SP

West – A-2 then City Zoning across High Pointe Lane

The request is to rezone the approximately 1.52 acres which correspond to Lot C-1 of Newtown Subdivision Final Plat Block 5. The existing approved C-GP plan shows some commercial buildings. The rezoning request and new plan proposes twelve residential units in three buildings and no commercial space. The area sought to be rezoned is currently vacant.

The Master Plan identifies a sufficiency of resources test for determining whether there are sufficient resources available for the needs of the proposal. The sufficiency of resources test provides a gate-keeping function. Failure to pass the test should result in denial of a request. Success in passing the test should allow the request to be considered and evaluated based on accepted planning principles. The resources typically used for this analysis can generally be broken down into three categories; Utilities, Transportation, and Public Safety Services.

Utilities: The area proposed for rezoning is proposed to be served by the BCRSD sewer facility that was already designated to serve the lot when commercial development was anticipated. The BCRSD has earmarked capacity for twelve 2-

bedroom unit dwellings.

Consolidated Public Water District #1 provides water in the area and there may need to be some upgrades or relocations that will need to be coordinated and will be at the developer's expense.

Boone Electric currently serves the area and has facilities that will need to be re-worked and or relocated at the developer's expense.

Stormwater: Development on the site will be required to comply with the Boone County Stormwater Regulations. There is some designated Floodplain on the property, but the proposed development is not proposed to encroach on the 100-year Floodplain.

Transportation: The property has frontage on both State Route K and Coneflower Avenue but only has access to Coneflower. Both roads are hard surface, publicly maintained roadways.

Public Safety Services: The site is within two road miles of the Boone County Fire Protection District Station on Route K., near Rock Bridge Elementary.

Zoning Analysis: The Master Plan designates this property for residential use. The proposed use is consistent with that designation.

The request does meet the sufficiency of resources test for service availability or potential availability. However, there may still need to be some coordination work with utility providers. The central sewer provision has not changed: the BCRSD has earmarked capacity for twelve 2-bedroom, at most, dwelling units. This capacity still must be formally acquired from the BCRSD. Twelve residential units

that are limited to 2-bedroom maximum should not generate any more traffic than the previously approved commercial buildings. The residential use is surrounded by other residential uses with the only real difference amongst all the residential uses being variation in lot sizes. The proposal appears to be compatible with the area.

Staff notified 80 property owners about this request. The property scored 66 points on the rating system.

Staff recommended approval of the rezoning.

The Planning & Zoning Commission conducted a public hearing on this request during its April 18, 2019, regular meeting. There were eight members of the commission present during this meeting.

Following the public hearing, a motion was made to recommend approval of the rezoning request. That motion was approved unanimously.

Commissioner Thompson wanted clarification on the timing of any upgrades and relocations for water and/or electric if required.

Shawver said, since the infrastructure is already an existing plat, those issues would be addressed before any building permits would be issued.

There were no more comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

Cody Darr was present to speak on behalf of the applicant for this item.

Darr explained there was nothing he needed to add but would be happy to answer any further questions the Commission might have regarding utilities or any other items.

There were no comments or questions from the Commission.

There was no one else present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve the request by New Field LLC to rezone from C-GP (Planned General Commercial) to R-DP (Planned Two-Family Residential) NewTown Lot C1 on 1.51 acres, more or less, located at 6855 S Coneflower Avenue, Columbia, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #183-2019**

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request by New Field LLC to approve a Revised Review Plan for NewTown Lot C1 on 1.51 acres, more or less, located at 6855 S Coneflower Avenue, Columbia, Missouri.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #184-2019**

2. **Petition submitted by Jeremy and Rachel Nichols to vacate and re-plat lots 1 and 2 of Evergreen Ridge subdivision, as recorded in Plat Book 34, Page 86 of Boone County Records and located at 11420 N Old No. 7, Columbia.**

Stan Shawver read the following staff report:

Evergreen Ridge is a two-lot subdivision located on Old No. 7 north of State Highway VV. The subdivision is approximately 5 miles northwest of Columbia. The land is zoned A-2 (Agriculture), which was recorded in 2000. The petitioners would like to join the two lots into one lot.

In accordance with Boone County Government Subdivision Regulations Section 1.8, the County Commission is required to conduct a public hearing prior to granting permission to vacate and re-plat a lot in a subdivision. Before granting permission, the Commission must find that the action will not adversely affect the character of the neighborhood; traffic conditions; circulation; the proper location, alignment, and improvement of streets and roads within and adjacent to the subdivision; property values within the subdivision, public utility facilities and services; and will not generally adversely affect the health, welfare, or safety of persons owning or possessing real estate within the subdivision.

There were no comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

Ronald Lueck was present to speak on this item.

Lueck presented the Commission with a copy of the re-plat for this item. That re-plat is

included at the end of these minutes.

Lueck said Evergreen Ridge was originally a three-lot subdivision. Lots one and two will be combined. The house is on one lot and the lagoon is on the north lot. This vacation and re-plat will not adversely affect any of the items listed in the Staff report. There will be a decrease in density with one less driveway.

There were no comments or questions from the Commission.

There was no one else present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve a petition submitted by Jeremy and Rachel Nichols to vacate and re-plat lots 1 and 2 of Evergreen Ridge Subdivision, as recorded in Plat Book 34, Page 86 of Boone County Records, located at 11420 N Old No. 7, Columbia, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #185-2019**

- 3. Petition submitted by RRJK LLC to vacate and re-plat Reeves Subdivision Plat 1, as recorded in Plat Book 53, Page 18 of Boone County Records and located at 7601 N Rte Z, Columbia.**

Stan Shawver read the following staff report:

Reeves Subdivision is an 8-lot subdivision of 41.01 acres. The plat was approved

Shawver said Max Hollow is a 2-lot subdivision located at the intersection of State Highway OO and Elkin Road.

7. Bellaridge. Preliminary plat. S34-T46N-R12W. A-R. Gary Fisher Family Trust, owner. Steven R. Proctor, surveyor (report only)

Shawver said Bellaridge preliminary plat is located at State Route A and Old Highway 63, approximately 1.5 miles south of Ashland. There will be 11 platted lots, as well as several tracts created by administrative survey.

All Plats Done On One Order

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby receive and accept the following subdivision plats and authorizes the Presiding Commissioner to sign them:

- Creekland Estates. S1-T49N-R13W. Jonathon and Monica Hansman, owners. David W. Borden, surveyor.
- Owl Hollow Plat 2. S13-T47N-R12W. Nancy Lee Boon, A-2. Nancy Lee Boon, owner. Anthony Derboven, surveyor.
- Max Hollow. S19-T50N-R11W. A-2. Tuff Luck LLC, owner. Steven R. Proctor, surveyor.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #187-2019**

Purchasing

8. Second Reading; Contract Amendment One: Contract 237-2016 – Medical Services for the Boone County Jail (1st read 4-25-19)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the attached Contract Amendment Number One to 237-2016 – Medical Services for the Boone County Jail.

The terms of the amendment are stipulated in the attached Amendment. It is further ordered the Presiding Commissioner is hereby authorized to sign said Contract Amendment Number One.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #188-2019**

Commission

9. Public Comment


None

10. Commission Reports


Commissioner Thompson said this afternoon was the first meeting of the task force between NACo and the National Sheriff's Association. The goal of that is to reduce the costs to local government and to create better results for local government and for individuals in the county jails. This primarily focuses on either the termination of or suspension of federal benefits when someone is detained in a county jail. Then, those expenses fall on the county.

The meeting adjourned at 7:27 p.m.

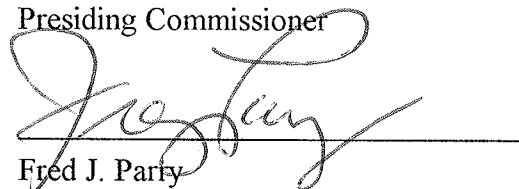
Attest:



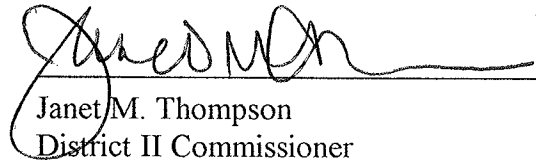
Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Fred J. Parry
District I Commissioner



Janet M. Thompson
District II Commissioner

EVERGREEN RIDGE PLAT 2

A MINOR SUBDIVISION
LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF
SECTION 26, TOWNSHIP 50 NORTH, RANGE 13 WEST
BOONE COUNTY, MISSOURI
APRIL 26, 2019

WARRANTY DEED RECORDED IN
BOOK 4185, PAGE 103

CENTER OF
SECTION 26, T50N, R13W
AS SHOWN BY THE SURVEY IN
PLAT BOOK 34, PAGE 86

A subdivision combining Lots 1 and 2 of Evergreen Ridge, as shown in Plat Book 34, page 86, and located in the south half of the southwest quarter of Section 26, T50N, R13W, Boone County, Missouri, being described together by a General Warranty Deed recorded in Book 3769, Page 198, both of the Boone County records. Said lots being combined and further described as follows:

Beginning at the northeast corner of Lot 1 of the three-lot subdivision recorded in Plat Book 34, Page 86, being S44°-28'-50"W, on a direct line, 1782.30 feet from the Center of Section 26, T50N, R13W; thence S0°-04'-10"W, along the east line said lot and the east line of Lot 2, a distance of 477.95 feet to the southeast corner of said Lot 2; thence N88°-34'-45"E, along the south line of last said Lot, 375.70 feet to the southwest corner of said Lot 2 and the east right-of-way line of Old No. 7 as shown and dedicated by said subdivision; thence, following said right-of-way line: N3°-23'-45"W 42.45 feet to the PC of a curve having a radius of 245.20 feet; along said curve to the left, 140.38 feet (a chord N19°-47'-55"W 138.47 feet) to the PT of said curve; N38°-12'-00"W 88.70 feet to the PC of a curve having a radius of 164.50 feet; along last said curve to the right, 107.88 feet (a chord N17°-27'-30"W 105.77 feet) to the PT of last said curve; and N1°-17'-00"E 136.10 feet to the northwest corner of said Lot 1; thence, leaving said right-of-way line, S88°-34'-45"E, along the north line of last said Lot, 506.80 feet to the point of beginning and containing 5.00 acres.

This replat combines these lots into a single Lot 4, as shown on this replat.

The results of the survey of this rural property, made for Jeremy Nichols and Rachael Nichols at the request of Jim March, and executed in accordance with the current Missouri Standards for Property Boundary Surveys, are shown on this replat.

LUECK SURVEYING - Columbia, MO

By: *Ronald G. Lueck*

Ronald G. Lueck
Professional Land Surveyor
LS #1957

Subscribed and sworn to before me, a notary public in and for Boone County, Missouri, this

____ day of _____, 2019.

My commission expires June 16, 2021.

Larry E. Bishop
Notary Public

KNOW ALL PERSONS BY THESE PRESENTS:

We, Jeremy Nichols and Rachael Nichols, the sole owners of the above described lots, have caused the same to be surveyed and replatted as Lot 4 as shown on this plat.

Jeremy Nichols _____ Rachael Nichols _____

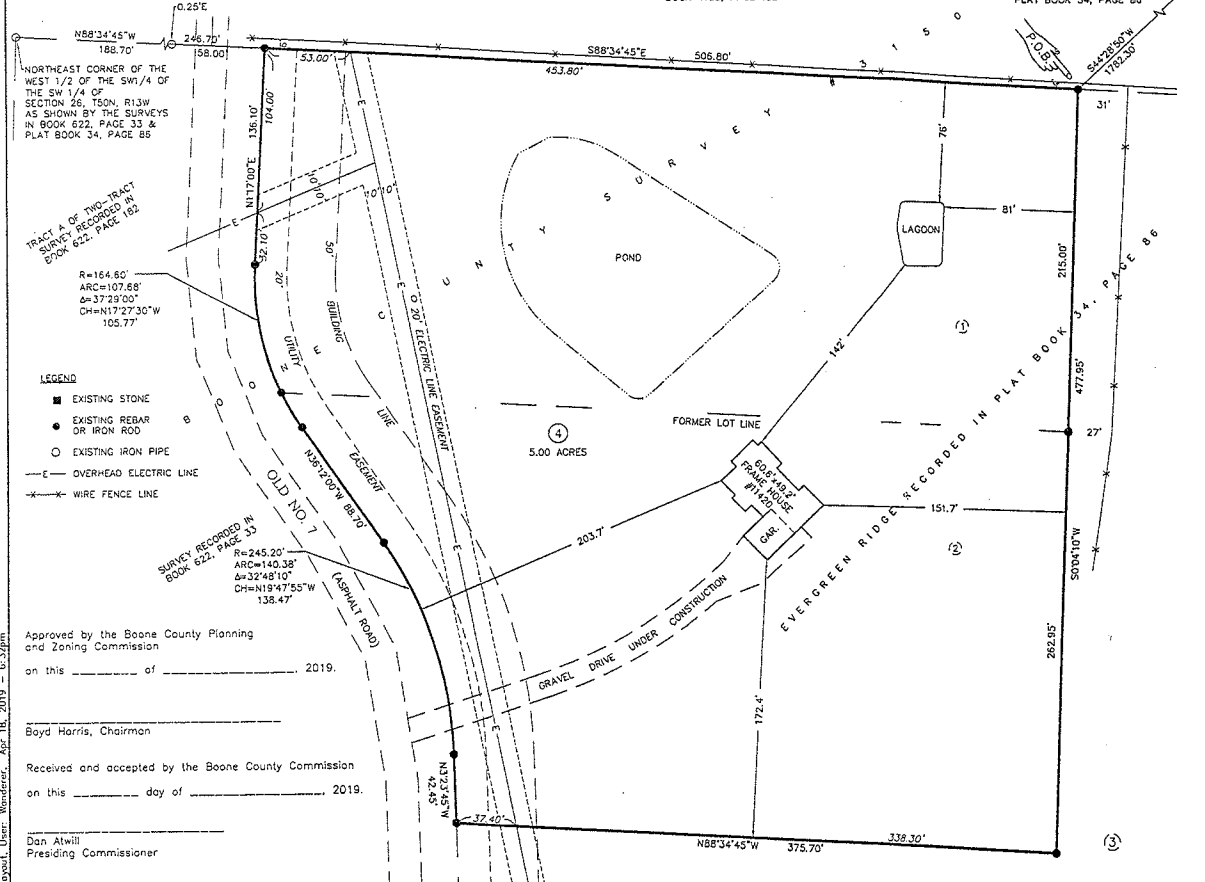
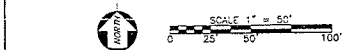
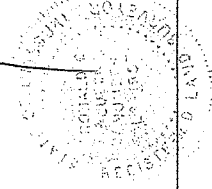
STATE OF MISSOURI } SS
COUNTY OF BOONE

On this _____ day of _____, 2019, before me appeared Jeremy Nichols and Rachael Nichols, to me personally known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal at my office in said county and state, the day and year first above written.

My commission expires _____

Notary Public

APR 11, 2019



- EXISTING STONE
- EXISTING REBAR OR IRON ROD
- EXISTING IRON PIPE
- E— OVERHEAD ELECTRIC LINE
- X— WIRE FENCE LINE

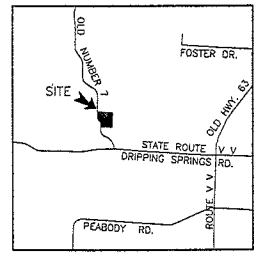
Approved by the Boone County Planning and Zoning Commission on this _____ of _____, 2019.

Boyd Harris, Chairman

Received and accepted by the Boone County Commission on this _____ day of _____, 2019.

Dan Atwill
Presiding Commissioner

Taylor Burks
County Clerk



LOCATION MAP
1" = 3000'±

Notes:

- 1) Per Appendix A, Section 3.4 (Subdivisions) of the Boone County, Missouri Land Use Regulations Chapter 1 Subdivision Regulations, the name, width and location of all known easements are shown on this survey. However, this tract may be subject to easements, unknown to me, that are not shown on this survey.
- 2) All monuments were existing unless noted as set.
- 3) Bearings are based on the lines of Evergreen Ridge, recorded in Plat Book 34, Page 86 of the Boone County records.
- 4) On this date, the Flood Insurance Rate Map, Community Panel number 29019C0155D, dated March 17, 2011, was reviewed. The review showed that the above described two lots, now combined as Lot 4, are not contained in any designated flood hazard area.
- 5) These tracts are subject to the Boone County Stormwater Ordinance.
- 6) This site does not have any Stream Buffer requirements per Chapter 26 of the Zoning Regulations of Boone County, Missouri.
- 7) This lot may be replatted in accordance with the current A-2 zoning, excluding the vacation requirements of Section 1.8.1 of the Boone County Land use Regulations, Chapter 1, of the Subdivision Regulations of Boone County, Missouri.
- 8) This lot is subject to the Boone County Stormwater Ordinance.

LUECK SURVEYING
Ronald G. Lueck, PLS #1957
914 N. College Ave., Suite 2
Columbia, MO 65201
rlueck@rocket.net
Phone: (573) 443-6219

Project Name: Evergreen Ridge Plat 2
Project Location: 11420 Old No. 7,
Boone County, MO
Project Number: 2710 B 19
Date Prepared: March 14, 2019
Last Revised: April 11, 2019

INITIAL SUBMITTA