

TERM OF COMMISSION: November Session of the October Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Boone County Conference Room 301

PRESENT WERE: Presiding Commissioner Dan Atwill
District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Resource Management Bill Florea
Boone County Counselor CJ Dykhouse
Deputy Boone County Clerk Jodi Vanskike

Public Present: Matthew Kelley- Property Owner, Jay Gebhardt-A Civil Engineering, Gina Newby- Property Owner, Christina Lubbert- Lubbert Engineering

Conference Call Information:

Number: 425-585-6224 Access Code: 802-162-168

The meeting was called to order at 7:00pm.

P&Z

- 1. Petition to Vacate 13 of Maple Meadows Subdivision Plat 1 as shown in Plat Book 31 Page 4 of the Boone County Records. (Open Public Hearing)**

Director of Resource Management Bill Florea read the following staff report: The Boone County Subdivision Regulations and Zoning Regulations are entered into the record of this meeting.

A Petition has been submitted by Allen Zumalt, Asa Zumalt, and Byron Zumalt to vacate Lot 13 of Maple Meadows Subdivision Plat 1 as recorded in Plat Book 31 Page 4 of Boone County

Records. If the vacation request is granted, the property will be replatted together with an unplatted, approximately one-half acre, parcel adjacent to the west. Maple Meadows Plat 1 was platted in January 1997. The zoning is R-S Single Family Residential; the lot that is proposed to be vacated is vacant.

In accordance with Boone County Subdivision Regulations Section 1.8, the County Commission is required to conduct a public hearing prior to granting permission to vacate and replat a subdivision or portion thereof. 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.

The character of the area is mixed use and includes both single and two-family residences, retail, office, and mini storage uses. The potential developer of the property stated at an August concept review meeting that it was their intention to build three mini storage buildings on the property, which requires rezoning. In the context of the existing R-S zoning, the proposed vacation and replat will have no impact on the character of the area.

Granting the vacation request will not adversely affect current or future traffic conditions, circulation, location and alignment of streets within and adjacent to the subdivision. The lot has frontage on Maple Meadows Drive, Amos Drive, and Route K. There are no existing driveways. The City of Columbia is proposing a cost share project with Missouri Department of Transportation to develop a roundabout in the Route K right of way and the adjacent property to the northeast. The roundabout will likely result in restricted access to Maple Meadows Drive for this lot. However, the lot will retain frontage on and potential access to Amos Drive. Any potential traffic impacts that may be caused by development of this property can be addressed through the permitting process.

The current circulation pattern is adequate for the needs of the area. No roads or right of way are affected by the vacation. Since there are no existing permitted access points to the property, any new development will be required to comply with current access management standards.

The requested vacation will have no effect on public utility facilities and services. Replatting will reestablish existing utility easements and extend them to the adjacent lot to the west.

The proposed vacation will not generally adversely affect the health, welfare or safety of persons owning or possessing real estate within the subdivision.

Staff recommends approval of the vacation requests subject to the following condition:

1. Said vacation is not effective until the lot proposed to be vacated has been incorporated into a subdivision plat in accordance with Boone County Subdivision Regulations.

Commissioner Atwill opened the public hearing. Christina Lubbert of Lubbert Engineering stated she is here to represent the potential developer for this site. Ms. Lubbert stated the Planning and Zoning report covered everything, but she is happy to answer questions if the Commission has any.

Gina Newby, area resident, stated she lives on Amos Drive and owns a rental on Amos Drive. Ms. Newby stated the only exit out of her part of the subdivision is Vermillion or Maple Meadows, and the traffic is very heavy through there at times. Ms. Newby stated currently, people sit at the stop sign for up to 15 minutes waiting to get out of the neighborhood onto Route K. There is a lot of traffic on Route K and putting more things in this space, will adversely affect the traffic flow. Ms. Newby stated having storage units in that area would cause a potential issue with crime and drugs in the area.

Director Florea added that storage units would be a new application and for right now, tonight, the only thing up for consideration is re-platting the one lot with the lot to the West of it.

Commissioner Atwill closed the public hearing.

Commissioner Thompson moved now on this day the County Commission of the County of Boone does hereby approve the request by Allen Zumalt, Asa Zumalt, and Byron Zumalt to vacate Lot 13 of Maple Meadows Subdivision Plat 1 as recorded in Plat Book 31 Page 4 of Boone County Records, subject to the following conditions:

1. Said vacation is not effective until the lot has been incorporated into a subdivision plat in accordance with Boone County Subdivision Regulations.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #513-2022**

2. **Request by Andrew Biggs to rezone from A-1 (Agriculture) & R-S (Single-Family Residential) to R-S on 2.68 acres located at 10281 E Englewood Rd, Ashland. (Open Public Hearing)**

Director of Resource Management Bill Florea read the following staff report: The Planning and Zoning Commission reviewed this request at its October 20, 2022 meeting and recommended approval of the rezonings on a vote of 8-0. The minutes of that meeting are incorporated into the record of this meeting.

The property is located off East Englewood Road, approximately 240 feet east of the intersection of East Johnson Cemetery Road and East Englewood Road. It is 12.04 acres in size and split zoned with R-S Residential Single Family and A-1 Agriculture zoning and is occupied by a house, several accessory structures, and a wastewater lagoon. The zoning on the property is the original 1973 zoning. Adjacent zoning to the north, east, west, and south is A-1; to the west and south is R-S.

The proposal seeks to rezone 2.68 acres to R-S Residential Single Family and 9.35 acres to A-2 Agriculture. The purpose of the rezoning is to facilitate subdivision of the land along the proposed zoning districts and create two lots.

In August, 2022, the Boone County Zoning Board of Adjustment granted four variances for the property related to the Zoning Ordinance and Subdivision Regulations. All four variances are related to the proposed 2.68-acre R-S section of the property. The variances are as follows:

- Variance from rear setback for an existing garage
- Variance from the front and rear setback for an existing single-family dwelling
- Variance from the 33-foot half-width right of way
- Variance from the 250-foot minimum lot depth

The sufficiency of resources test was used to analyze this request.

Transportation: The property has direct road frontage along East Englewood Drive, a publicly maintained roadway.

Utilities: Consolidated Water provides water service to the area. Boone Electric provides power. No public sewer service is available. Future residential development will require use of an onsite wastewater system.

Public Safety: The property is approximately 8 miles from the Southern Boone County Fire Protection District Station 17.

Zoning Analysis:

Regarding the A-1 to A-2: Modification of the existing R-S zoning, proposed in the accompanying request, combined with the contemplated land division into lots less than ten acres, requires a change in the current A-1 zoning on the property. The minimum lot size in an A-1 zoning district is ten acres.

Rezoning to A-2 would lower the minimum lot size to 2.5 acres, potentially opening the area to higher density development. The likelihood of achieving the full development potential is low due to the shape of the property and lack of public infrastructure. Rezoning of A-1 to A-2, adjacent to the R-S zoning district, would also create an area of transition between less intense A-1 zoning to the north and east and the existing R-S zoning to the west.

R-S zoning adjacent to A-1 is uncommon in Boone County. Preferably, there would be a gradual transition from larger to small minimum lot size. Rezoning of the A-1 to A-2 would serve as the area of transition from the residential zone to the larger lot agricultural district and match a zoning pattern more consistent with other portions of the County. Granting of the A-2 rezoning request would allow for the eventual subdivision of the property and construction of an additional dwelling. Impacts on existing transportation, utilities, and public safety resources would be minimal with the addition of another home.

Regarding the A-1 to R-S: This request is an expansion of an existing R-S zoning district. Modification and expansion of R-S on the property, along with variances previously granted by the Zoning Board of Adjustment, provides a pathway for the applicant to subdivide the property. Impacts on existing infrastructure and the character of the Englewood community would be minimal

The proposals scored 38 points on the point rating system. Staff notified 14 property owners of the request.

Staff recommended approval of both requests.

Commissioner Atwill opened the public hearing. Jay Gebhardt of A Civil Engineering stated he is here to answer any questions the Commission may have.

Commissioner Atwill closed the public hearing.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the request by Andrew Biggs to rezone from A-1 (Agriculture) & R-S (Single-Family Residential) to R-S on 2.68 acres located at 10281 E Englewood Rd, Ashland.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #514-2022**

3. Request by Andrew Biggs to rezone from A-1 (Agriculture) & R-S (Single-Family Residential) to A-2 on 9.35 acres located at 10281 E Englewood Rd, Ashland. (Open Public Hearing)

Director of Resource Management Bill Florea stated this staff report was combined with the last item.

Commissioner Atwill opened and closed the public hearing.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request by Andrew Biggs to rezone from A-1 (Agriculture) & R-S (Single-Family Residential) to A-2 on 9.35 acres located at 10281 E. Englewood Rd. Ashland.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #515-2022**

4. Request by MBK Investments to rezone to M-LP (Planned Light Industrial) and to approve a revised a review plan for Rockbridge Business Park on 3.39 acres located at 5105 S. Providence Rd, Columbia. (Open Public Hearing)

Director of Resource Management Bill Florea read the following staff report: The Planning and Zoning Commission reviewed this request at its October 20, 2022 meeting and approved the rezoning and review plan on a vote of 8-0.

The property is located on the outer road along S Providence Road, just north of the intersection of State Route K, Highway 163 and Providence Road. It is 3.47 acres in size and zoned M-LP (Planned Light Industrial).

Adjacent zoning is:

- Columbia R-MF to the north and east;
- R-S (Residential Single-Family) to the west, and south;
- C-GP (Planned General Commercial) to the southeast.

The previous use of the property was a mobile home park under the original R-M (Residential Moderate Density) zoning. The property is being redeveloped in accordance with an M-LP Final Plan that was approved in March, 2022.

This request is to revise the approved plan to allow for more uses of the property than initially requested. The proposed plan adds commercial and industrial uses, such as personal services (such as barber shop and beauty parlor), photographic processing, and printing/publishing.

The sufficiency of resources test was used to analyze this request.

Utilities: Are provided by City of Columbia Water & Light for water, Boone County Regional Sewer District, and Boone Electric Cooperative.

Transportation: The property has access on to the outer road along S Providence Road, a publicly maintained roadway.

Public Safety: The property is in the Boone County Fire Protection District, with the station on Route K being closest for service.

Zoning Analysis: While this plan is an expansion of the uses allowed by the existing review plan, there are no physical changes proposed. The expanded use list is compatible with the available resources and the plan for physical development of the site.

The property scored 62 points on the rating system.

Staff recommended approval of the rezoning request and review plan.

Commissioner Atwill opened the public hearing. Jay Gebhardt of A Civil Group stated the change in use for this property has been driven by the market. Mr. Gebhardt stated when the owners started to build, they had people come to them asking if they had space available for lease. Mr. Gebhardt stated they met with staff and made sure they could add these uses without upsetting anything.

Commissioner Aldred moved now on this day the County Commission of the County of Boone does hereby approve the request by MBK Investments to rezone to M-LP (Planned Light Industrial) and to approve a revised a review plan for Rockbridge Business Park on 3.39 acres located at 5105 S. Providence Rd, Columbia.

And

Now on this day the County Commission of the County of Boone does hereby approve a Revised Review Plan for Rockbridge Business Park on 3.39 acres located at 5105 S. Providence Rd, Columbia.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #516-2022**

5. 561 Subdivision Preliminary Plat. R-M. S24-T49N-R13W. The 561 Project, LLC, owner. Derek Forbis, surveyor.

Director of Resource Management Bill Florea read the following staff report: This property is on the west side of Clearview Drive approximately 3000 feet southwest of the Hwy 763-State Hwy VY-Prathersville Rd-Wagon Trail Road roundabout. The current property consists of four parcels totaling 5.79 acres. Two of the lots are in Clearview subdivision; each will be re-platted along with a portion of right-of-way for Autumn Ct that has received a tentative approval from the County Commission to be vacated. The other two tracts comprise an almost 5-acre parcel of raw land and a small triangle that was deeded to the County and which must be obtained by the developer prior to final plat approval.

Harold Ct. currently ends at the northern line of this development and will be extended into and terminated with a proper cul-de-sac bulb as part of the proposed development.

The current zoning of the subject property is R-M (Residential Moderate Density). The 5-acre tract is vacant. There are houses on the two lots in Clearview subdivision. A conditional use permit was requested to site a mobile home on this tract in 1988, but that request was denied.

The surrounding properties were rezoned to R-S from R-M as part of other rezoning requests in Clearview subdivision in 1992. There have been several infill development proposals for the property in the past, but none have been brought to completion. The current proposal replaces all the previous development proposals.

The developer will have to obtain title to the portion of property not contained within the right-of-way area for Clearview Drive. This requires certification of title and proper execution by the developer's agents during the final platting process.

This preliminary plat offers direct access for proposed lots 1-6 on to Clearview Drive and on the extension Harold Court for proposed lots 7-11.

Columbia Water & Light will provide domestic water service & fire protection to this property. The Boone County Fire Protection District will provide fire protection services to this property. The Boone County Regional Sewer District will provide wastewater services to this property. The property scored 81 points on the rating system.

Staff recommended approval of the preliminary plat subject to the following condition:

The developer's agents continue to work with the County to secure the portion of the property contained within the proposed development that was previously deeded to the County.

Director Florea added that no action needs taken by the Commission at this time.

6. Butch's Investments Plat 1. M-LP. S10-T47N-R12W. Butch's Investments LLC, owner. Christopher Sander, surveyor.

Director of Resource Management Bill Florea read the following staff report: The property is located on Route 163, approximately 1300 feet west of US Highway 63. It is occupied by an existing accessory building. The subject property is 22.09 acres in size and zoned M-LP (Planned Light Industrial).

The zoning history for the property is:

- 2016, a Planned Light Industrial (M-LP) rezoning request was denied by the Planning & Zoning Commission;
- September 2020 an M-LP (Planned Light Industrial) rezoning request was denied by the Planning and Zoning Commission
- December 2020 an M-LP rezoning request with a reconfigured Review Plan was recommended for approval by the Planning and Zoning Commission and approved by the County Commission, Order 623B-2020;
- July 2022, a revised review plan was recommended for approval by P&Z and approved by the County Commission, Order number 360-2022;
- October 2022, Final plan was approved establishing permanent M-LP zoning.

The property scored 55 points on the rating system.

The proposed plat divides the property into five lots, varying in size from 1.57 acres to 11.15 acres. Lot 5 is being used for the installation and operation of a central sewer treatment facility under the ownership of the Boone County Regional Sewer District.

Lots 1 & 5 have direct access on to Highway 163, and lots 2-4 have access to Cadet Court, a private drive. The applicant has evaluated the traffic impacts and MoDOT has agreed with their assessment of the ability of Highway 163 to handle traffic generated by this proposal.

The proposal is served by Consolidated Public Water Service District #1, Boone Electric Cooperative, and the Boone County Fire Protection District.

The applicant has constructed a central wastewater treatment system for this development that has been conveyed to Boone County Regional Sewer District for.

Staff recommended approval of the final plat.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby receive and accept the plat of Butch's Investments Plat 1 and authorizes the presiding commissioner to sign it.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #517-2022**

Purchasing

- 7. Second Reading: Contract CC211775005 re-numbered as County Contract# C000491 for Statewide Hazardous Waste Disposal & Recycling Services with Veolia ES Technical Solutions, LLC - Term & Supply (First Read 10.27.22)**

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve Co-Operative Contract CC211775005, re-numbered as County Contract

#C000491, for Statewide Hazardous Waste Disposal & Recycling Services with Veolia ES Technical Solutions, LLC-Term & Supply.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #518-2022**

- 8. Second Reading: Amendment #5 to Contract 03-13APR17 - ERP System Selection Project with Superior, LLC, n/k/a CentralSquare Technologies, LLC. This amendment adds the County contract number C000016 and adds IntelliTime and Project Management services (First Read 10.27.22)**

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve Amendment #5 to Agreement 03-13APR17 with Superior, LLC, n/k/a CentralSquare Technologies, LLC. This Amendment adds the county Contract Number C000016 and adds IntelliTime services (\$5,239.00) and Public Administration Project Management Services (\$780.00).

The terms of the Agreement are set out in the attached Contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.

The motion carried 3 to 0. **Order #519-2022**

Commission

- 7. First Reading: Approving resolution designating Columbia Convention and Visitors Bureau as a designated marketing organization**

Boone County Counselor CJ Dykhouse stated this designation comes up every three years and allows Columbia Convention and Visitors Bureau to get state funds from the Missouri Department of Tourism to bring tourism dollars to Boone County.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

8. Public Comment

None

9. Commissioner Reports

None

Attest:



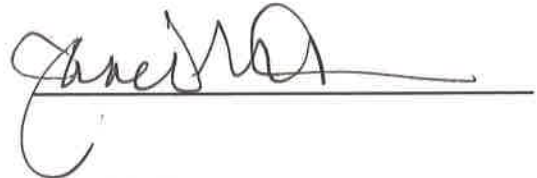
Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Justin Aldred
District I Commissioner



Janet M. Thompson
District II Commissioner