

407 -2021

CERTIFIED COPY OF ORDER

STATE OF MISSOURI

} ea.

September Session of the July Adjourned

Term. 20 21

County of Boone

In the County Commission of said county, on the

28th

day of

September

20 21

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does approve the request by Dale & Nancy Lenger to rezone from R-M (Multi-Family Residential) to A-2 (Agriculture) on 5 acres located at 5050 E Christian School Rd, Hartsburg.

Done this 28th day of September 2021.

ATTEST:

Brianna L. Lennon

Brianna L. Lennon
Clerk of the County Commission

Daniel K. Atwill

Daniel K. Atwill
Presiding Commissioner

Justin Aldred

Justin Aldred
District I Commissioner

Jane M. Thompson

Jane M. Thompson
District II Commissioner

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STATE OF MISSOURI }
County of Boone } ea.

September Session of the July Adjourned

Term. 20 21

In the County Commission of said county, on the 28th day of September 20 21

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone **approves** the request by 40 & J Development LLC to revise a previously approved plan on 192.74 acres zoned M-LP (Planned Light Industrial) located at 2200 N Route J, Rocheport, subject to the following conditions:

- 1) Prior to Final Plan
 - 1) Preliminary grading/landscaping plan to include buffering submitted prior to submission of the Final Plan that will include:
 - i) Mixed evergreens with a minimum of three rows at triangulated 20-foot centers.
 - ii) 5-feet tall at time of planting.
 - iii) Disease-Resistant Long-Living species list/schedule appropriate to the site prepared by an Arborist/Landscape Architect.
 - iv) Planting schedule proposal to mix the species in a manner to promote the health of the proposed buffer.
 - v) Replacement schedule for Diseased/Dead/ Dying planting replacement.
 - vi) Buffers in the three identified areas on the LANDSCAPE AND BUFFER EXHIBIT.
 - vii) The plan must be worked out to the satisfaction of the Director of Resource Management.
 - 2) An alternate Landscaping/Buffering Plan may be proposed that provides an appropriate level of buffering that meets or exceeds the standards above subject to the approval of The Director of Resource Management. The Director of Resource Management is the sole arbiter of whether or not any alternate plan meets or exceeds the standards.
 - 3) The intent of the Landscaping/Buffering Plan is to break up sight lines and mitigate impacts to the existing residential structures and not to screen the entire project from view off-site.
- 2) Phase 1
 - 1) Construct improved structural shoulder/improved radii at I-70 & Route J off-ramps as part of Phase 1 prior to an Occupancy Permit for the building.
 - 2) Lighting shall be shielded and oriented inward and downward as to minimize glare and light trespass.
- 3) Phase 2
 - 1) Improvements to the US Highway 40 – Route J intersection must be constructed prior to any building permits for any structures for Phase 2 building being issued. The improvements to this intersection are to include:
 - i) Eastbound Right-Turn Lane on Highway 40 at Route J.
 - ii) Westbound Right-Turn Lane on Highway 40 at Route J.

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STATE OF MISSOURI

Term. 20

County of Boone

} ea.

In the County Commission of said county, on the

day of

20


the following, among other proceedings, were had, viz:

- iii) Separate Westbound Left-Turn Lane on Highway 40 at Route J.
- 2) The following improvements are required to be constructed when the corresponding access is created:
 - i) Separate Westbound Left-Turn Lane on Highway 40 at the Midway USA drive. {This is already shown on the plan}
 - ii) Separate Eastbound Right-Turn Lane on Highway 40 at the Midway USA drive. {This is already shown on the plan}
 - iii) Separate Northbound Right-Turn Lane on Route J at the Midway USA north drive. {This is already shown on the plan}
- 3) If not already provided the access connections of Phase 2 must be provided when more than 600,000 square feet of building area for the entire property has been issued permits.
- 4) Lighting shall be shielded and oriented inward and downward as to minimize glare and light trespass.


Done this 28th day of September 2021.

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

489-2021

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STATE OF MISSOURI

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September Session of the July Adjourned

Term. 20 21

County of Boone

In the County Commission of said county, on the 28th day of September 20 21

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does receive and accept the following subdivision plat and authorizes the presiding commissioner to sign it:

- 1. Cedar Valley Subdivision. S1-T50N-R12W. A-2. Gregory A. Lynn, owner. Mark Robertson, surveyor.

Done this 28th day of September 2021.

ATTEST:

Brianna L. Lennon

Brianna L. Lennon
Clerk of the County Commission

Daniel K. Atwill

Daniel K. Atwill
Presiding Commissioner

Justin Aldred

Justin Aldred
District I Commissioner

Janel M. Thompson

Janel M. Thompson
District II Commissioner

Staff Report for County Commission
RE: P&Z Agenda Items
September 28, 2021

Lenger Rezoning R-M to A-2

The Planning and Zoning Commission reviewed this request at its September 16, 2021 meeting and voted to recommend approval on a unanimous vote. Staff recommended approval of the rezoning request. The Boone County Zoning and Subdivision Regulations are entered into the record of this meeting.

The 31.8-acre property is located 1.3 miles south of Ashland, on the south side of Christian School Road near its intersection with Old Route A. The zoning is A-2 (Agriculture) and R-M (Residential-Moderate Density). The property is undeveloped. The adjacent zoning is A-2 to the north, west, and south, and R-M to the east. This is all original 1973 zoning. 22 property owners received notice of this request.

The applicants are seeking to rezone 5 acres of their property from R-M to A-2. The Boone County Master Plan has designated this area as being suitable for agriculture and rural residential land uses. The sufficiency of resources test was used to analyze this request.

Utilities: The subject property is in Consolidated Public Water Service District #1. Boone Electric Cooperative can provide electrical service to this site.

Transportation: This property has direct access to Christian School Road, a publicly maintained road.

Public Safety: The subject property is 1.3 miles from the Southern Boone County Fire Protection District station in Ashland.

Zoning Analysis: The base presumption of any zoning change is in favor of the current zoning. Evidence must be brought forward that the requested zoning is more appropriate and that it can meet the sufficiency of resources test for such a change to be approved. In this case, the sufficiency of resources test indicates that the needs of the lower density A-2 zoning can be met by available infrastructure at this site and that A-2 is a more appropriate

zoning for the property. This rezoning, if approved, expands the existing A-2 zoning on this property.

40 & J, LLC Revised M-LP Review Plan

The Planning and Zoning Commission reviewed this request at its September 16, 2021 meeting and voted to recommend approval, with conditions as established by the previous Review Plan, on a unanimous vote. 14 property owners received notification about this request.

The 193-acre property is located at the southeast corner of the intersection of US Highway 40 and State Route J. The zoning is M-LP (planned industrial) which went into effect in June of 2020. Adjacent zoning to the north is A-1, all other adjacent zoning is A-2. The property is being developed as an industrial/office park campus and is occupied by a single-family dwelling and a large distribution center warehouse currently under construction.

The request is to revise the approved plan to allow the Phase 2 office building to reduce from three stories to two and increase the footprint of the building from 50,000 square feet to 69,000 square feet. The total square footage within the building will be reduced from 150,000 square feet to 138,000 square feet; a reduction of 12,000 square feet. The location of the office building has not changed and the parking area around the proposed office has been altered to fit the new footprint.

The sufficiency of resources test was used to analyze the 2019 rezoning request with Review Plan from A-2 to M-LP and was repeated for this proposed revision.

The resources typically used for this analysis can generally be broken down into three categories, Utilities, Transportation, and Public Safety Services.

Utilities:

Sanitary sewer service will be provided by Boone County Regional Sewer District; a drip irrigation treatment facility is currently under construction on proposed Lot 2.

Consolidated Water has a tower/storage tank within 2000 ft of the property and a 12-inch watermain on the property now. Internal components of the fire protection systems will be addressed with each building phase.

Boone Electric currently serves the area and has facilities on the property currently.

Stormwater: Development on the site will be required to comply with the Boone County Stormwater Regulations.

Transportation:

The property has frontage on both US Highway 40 and State Route J. Phase 1 of the project will utilize a single point of access to the property using a driveway connection onto Route J.

Phase 2 of the development establishes a second access point to Route J. An additional access is also proposed to US Hwy 40. Each of these Phase 2 access connections is proposed to add a right turn lane at the new access points and these are shown on the plan. Additionally, a left turn lane for the new access point on US Highway 40 is proposed and is shown on the plan. US Highway 40 is generally a 24-foot two-lane paved roadway with 12-foot gravel shoulders. Route J is generally a 20-foot paved roadway with no shoulders. It is our understanding that MoDot has a plan to add shoulders to Route J in the next few years.

A Traffic Impact Study (TIS) was provided for the proposal. The TIS identifies several improvements that are needed to support the proposed development. Phase 1 of the development is intended to provide limited overall traffic compared to the entire site buildout. The 300,000 square feet warehouse draws predominantly from the I-70 Route J interchange. The additional truck traffic will use the off-ramps that are indicated as needing structural shoulder improvements to be adequate for truck traffic.

The TIS indicates that the intersection of US Highway 40 and Route J requires improvement at the present time even without the proposed development. With the additional traffic of Phase 2, further improvements become necessary. The TIS does indicate that the additional turn lanes proposed at the new roadway access points, proposed with Phase 2, need turn lanes installed when these connections are created. The off-site

improvements may be bonded as a means to comply with condition #3 related to Phase 2 of the development.

Public Safety Services: The site is within 3.3 road miles of County Fire Station 9 on Henderson Road.

Zoning Analysis:

When the rezoning to M-LP was approved the decision of whether the property was appropriate for an industrial park was made. The decision with this revision is confined to the impacts caused by the proposed revision. The proposed revision should have less potential to impact surrounding properties than the currently approved Final Plan. The screening and landscaping of the existing plan should lessen the visibility of the 2-story office building from the neighboring properties and provide better screening of the site.

The request does meet the sufficiency of resources test for service availability or potential availability. The existing conditions have been re-imposed as the underlying basis for the conditions remains unchanged.

The property scored 65 points on the rating system.

The Planning and Zoning Commission recommendation includes the following conditions:

1) Prior to Final Plan

- 1) Preliminary grading/landscaping plan to include buffering submitted prior to submission of the Final Plan that will include:
 - i) Mixed evergreens with a minimum of three rows at triangulated 20-foot centers.
 - ii) 5-foot tall at time of planting.
 - iii) Disease-Resistant Long-Living species list/schedule appropriate to the site prepared by an Arborist/Landscape Architect.
 - iv) Planting schedule proposal to mix the species in a manner to promote the health of the proposed buffer.
 - v) Replacement schedule for Diseased/Dead/ Dying planting replacement.

vi) Buffers in the three identified areas on the LANDSCAPE AND BUFFER EXHIBIT.

vii) The plan must be worked out to the satisfaction of the Director of Resource Management.

- 2) An alternate Landscaping/Buffering Plan may be proposed that provides an appropriate level of buffering that meets or exceeds the standards above subject to the approval of The Director of Resource Management. The Director of Resource Management is the sole arbiter of whether or not any alternate plan meets or exceeds the standards.
- 3) The intent of the Landscaping/Buffering Plan is to break up sight lines and mitigate impacts to the existing residential structures and not to screen the entire project from view off-site.

2) Phase 1

- 1) Construct improved structural shoulder/improved radii at I-70 & Route J off-ramps as part of Phase 1 prior to an Occupancy Permit for the building.
- 2) Lighting shall be shielded and oriented inward and downward as to minimize glare and light trespass.

3) Phase 2

- 1) Improvements to the US Highway 40 – Route J intersection must be constructed prior to any building permits for any structures for Phase 2 building being issued. The improvements to this intersection are to include:
 - i) Eastbound Right-Turn Lane on Highway 40 at Route J.
 - ii) Westbound Right-Turn Lane on Highway 40 at Route J.
 - iii) Separate Westbound Left-Turn Lane on Highway 40 at Route J.
- 2) The following improvements are required to be constructed when the corresponding access is created:
 - i) Separate Westbound Left-Turn Lane on Highway 40 at the Midway USA drive. {This is already shown on the plan}
 - ii) Separate Eastbound Right-Turn Lane on Highway 40 at the Midway USA drive. {This is already shown on the plan}
 - iii) Separate Northbound Right-Turn Lane on Route J at the Midway USA north drive. {This is already shown on the plan}

- 3) If not already provided the access connections of Phase 2 must be provided when more than 600,000 square feet of building area for the entire property has been issued permits.
- 4) Lighting shall be shielded and oriented inward and downward as to minimize glare and light trespass.

Plats

The Planning and Zoning Commission approved the plat of *Cedar Valley Subdivision* by consent. I ask that you waive the reading of the staff report and authorize the clerk to insert the it into the meeting minutes. *The conditions imposed by P&Z have been met.*

Cedar Valley Subdivision

The property is located on N Willet Road, approximately 1 mile north of Hallsville. The proposal divides a 13-Acre parcel into two lots. Lot 1 is a 7-acre lot and is currently undeveloped. Lot 2 is a 6-acre lot which contains an existing house, a shop, and a lagoon. This property is zoned A-2 (Agriculture) and is surrounded by A-2 original 1973 zoning.

The property has direct access on N Willet Road, a publicly maintained roadway.

The property is located in Public Water Service District #4, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

The property scored 36 points on the rating system.

Any residential development on Lot 1 will require the installation of an engineered on-site wastewater treatment system under permit with the Columbia/Boone County Health Department. During the review process, County Staff and the Health Department were supplied a soil morphology test which determined that Lot 1 contained soils unsuitable for a lagoon. A wastewater plan for Lot 1 is on file and an advisory note is written on the Plat.

Regarding the signed original plat provided, items in the drawing have been found to be inconsistent with the requirements of the Regulations.

Per the Boone County Subdivision Regulations Appendix, A Section 3.4, the Final Plat must be drawn clearly and legibly. This same section within the Regulations

indicates that the Plat must contain a north arrow. The surveyor was made aware during the review process on 8/06/21, 8/10/21 and 8/17/21 that there was not a north arrow on the survey which met those standards. The County Surveyor also provided review comments to the surveyor which stated, "Per Missouri Standards for Property Boundary Surveys... please provide a correctly oriented North arrow." The surveyor has stated he believes the logo at the top of his Plat also serves as the north arrow. It is recommended that the surveyor add a north arrow on the survey itself, rather than the title block, in order to provide the needed clarity. This arrow may be in whatever style the surveyor would like but the arrow needs to be clearly juxtaposed with the survey design.

Per the Boone County Subdivision Regulations Appendix A Section 3.4, the Final Plat must be drawn clearly and legibly. A typographical error has been identified which renders a lot line bearing illegible. The proposed lot line between Lot 1 and Lot 2 appears to be two directions printed on top of each other. After consulting with the County Surveyor and Staff, it is recommended that a new original be provided, or the surveyor can choose to hand-write on the Plat legible directions. This was not discovered until the original was provided for the resubmission deadline.

Staff recommends **approval of the Cedar Valley Subdivision Minor Plat** subject to the following conditions which shall be met prior to acceptance by the County Commission:

1. The signed original contains a clear and legible north arrow
2. The proposed lot line between Lot 1 and Lot 2 at 01'59'50" contain clear and legible bearings.

Such conditions shall be met within 90 days of Plat approval by the Planning and Zoning Commission Meeting or else approval is rendered void.

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September Session of the July Adjourned

Term. 20 21

County of Boone

In the County Commission of said county, on the 28th day of September 20 21

the following, among other proceedings, were had, viz:

Now on this day, the County Commission of the County of Boone does hereby approve the Request for Administrative Authority to purchase replacement fixed assets in emergency situations for the remainder of FY2021 and FY2022.

Done this 28th day of September 2021.

ATTEST:

Brianna L. Lennon

Brianna L. Lennon
Clerk of the County Commission

Daniel K. Atwill

Daniel K. Atwill
Presiding Commissioner

Justin Aldred

Justin Aldred
District I Commissioner

Janet M. Thompson

Janet M. Thompson
District II Commissioner



Boone County Joint Communications

CHAD MARTIN, DIRECTOR

2145 E. COUNTY DRIVE, COLUMBIA, MISSOURI 65202

(573) 554-1000 ♦ FAX (573) 442-1497

DATE: September 14, 2021

TO: Dan Atwill, Presiding Commissioner
Justin Aldred, District I Commissioner
Janet Thompson, District II Commissioner

FROM: Chad Martin

SUBJECT: Request Administrative Authority to Purchase Communications Equipment

The purpose of this request is to seek administrative authority for Joint Communications to purchase replacement fixed assets in emergency situations that require a rapid response in the interest of public safety.

Request is made to grant authority for the remainder of FY2021 and FY2022 for Joint Communications to replace existing equipment that fails and is not cost-effective to repair. This authority would cover equipment with a replacement cost of up to \$7,500. Joint Communications will include \$30,000 in the FY2022 operating budget to cover unanticipated emergency equipment failure in Replacement Machinery & Equipment 2704/92300. If such a purchase becomes necessary for the remainder of FY2021, a budget in Contingency Fund 2704/86850 is available to fund the purchase by way of a budget revision.

This authorization allows a timely response to restore or preserve radio communication by eliminating the need to obtain specific Commission approval in each individual instance. It also reduces the number of spare items needed to be kept as backup equipment.

Thank you for your consideration.

CC:
June Pitchford
Jacob Flowers
Melinda Bobbit