

TERM OF COMMISSION: October Session of the October Adjourned Term

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

PRESENT WERE: Presiding Commissioner Dan Atwill
District I Commissioner Fred Parry
District II Commissioner Janet Thompson
County Counselor CJ Dykhouse
Director Resource Management Stan Shawver
Deputy County Clerk Michelle Thompson

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

New Adjourned Term

Resource Management

- 1. Public hearing for a request by Diversified Property LLC to rezone from A-1 (Agriculture) to A-2 (Agriculture) on 16.03 acres, more or less, located at 19600 N Rte V, Sturgeon.**

Stan Shawver read the following staff report:

This request was considered by the Planning & Zoning Commission during their September 20, 2018 meeting.

The minutes for the Planning & Zoning Commission meeting of September 20, 2018, 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 their September 20, 2018 regular meeting. There were eight members of the commission present during the meeting.

The property is located approximately 2.7 miles south of Sturgeon, at the northeast quadrant of the State Highway V and Gordon Road intersection. The zoning is A-1, which is the original zoning. Adjacent property is zoned as follows:

- North – A-1
- South – A-2
- East – A-1
- West – A-1

A single-family residence and several accessory structures occupy the property. There have been no previous requests.

The Master Plan designates this property as suitable for agriculture and rural residential land uses. 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 and principles.

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

Utilities: There is no public sewer service connection to the property.

The property is served by Public Water Supply District 10. A water study would

be necessary to determine whether there is sufficient water to provide a fire flow.

Boone Electric will provide power.

Transportation: The subject tract has frontage on Route V and Gordon Road.

Public Safety Services: The property is approximately 3.7 miles from Boone County Fire Protection District Station 6 in Sturgeon.

Zoning Analysis: The Master Plan designates this property as suitable for agriculture and rural residential land use. The area is characterized by lots 10-acres and greater including many large agricultural tracts. However, there is a cluster of platted and un-platted lots south of Gordon Road that range in size from 2.5 to 10-acres.

The requested zoning, A-2 Agriculture, is an open zoning district that allows subdivision into lots 2.5-acres or greater. Infrastructure limitations may restrict the number of lots that could be subdivided from the property. It should also be noted that the topography of the subject property is more like that of the A-2 to the south than it is the A-1 to the north, which is an indicator in favor of the rezoning.

Staff notified 21 property owners about this request. The property scored 36 points of the rating system.

Staff recommended approval of the rezoning request.

The Planning & Zoning Commission conducted a public hearing on this request during their September 20, 2018 regular meeting. There were eight members of

the commission present during the meeting.

Following the public hearing, a motion was to recommend approval of the rezoning request. That motion was approved by a 6-2 vote.

There were no comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

Steve Proctor was present to speak on this item.

Steve Proctor stated he is a registered surveyor for Central Counties Surveying. His clients are wanting to split the existing house off of 16. Right now, they are just planning on doing two lots. 10 acres on the north with the house and the remainder which will have all the road frontage of Gordon as well as some road frontage on Route B. I did talk to Water District 10 and there are two existing meters there. Anything more than that, the Water District said they would have to do a water study. But since there are two meters there already, that wouldn't have to be done at this time. To get more than two lots it would be kind of tough as there is a creek in the back on the east side that would probably get some flood plain where the lagoon is situated. Two lots is the plan right now.

Commissioner Parry asked what road the lot without the house would have frontage on.

Steve Proctor said both.

There were no more public comments.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby approve the request by Diversified Property LLC to rezone from A-1 (Agriculture) to A-2 (Agriculture) on 16.03 acres, more or less, located at 19600 N Rte V, Sturgeon, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #432-2018**

2. **Public hearing for a request by AEM Diversified Investments LLC to rezone from A-1 (Agriculture) to M-LP (Planned Industrial) and approve a Review Plan for ENDOVAC ANIMAL HEALTH on 20.0 acres, more or less, located at 6080 E Bass Ln, Columbia.**
 - **Rezone**
 - **Review Plan**

Stan Shawver read the following staff report:

The subject property is located on Bass Lane, approximately ½ mile to the east of the city limits of the City of Columbia. The property is approximately 20 acres in size and zone A-1 (Agriculture). This property was granted a conditional use permit in December of 1986 for an Agribusiness. There are two buildings supporting the current use of the property, several sheds, and two barns. The subject property is surrounded by A-1 zoning. This is all original 1973 zoning. There is an existing node of General Commercial Zoning approximately one-half mile west at the intersection of Bass Lane and Rolling Hills Road near Highway 63.

The applicant is seeking a rezoning to M-LP (Planned Light Industrial) in order to expand the existing veterinary research and vaccine production facility. That facility was established by an Agribusiness Conditional Use Permit in December of 1986. Since that time, steady growth has pushed the needs of this use beyond those granted by the Conditional Use Permit, so a rezoning to M-LP (Planned Light Industrial) is required in order to accommodate the planned expansion. The expansion proposes a new building, stormwater treatment, wastewater system, and a dust-free driving and parking surface to serve the facility.

The Boone County Master Plan has designated this area as being suitable for agriculture and rural residential land uses. The Boone County Mast Plan designates a sufficiency of resources test for the evaluation of zoning changes where each proposal is evaluated to see if sufficient utility, transportation, and public safety infrastructure is in place to support the change in zoning. The sufficiency of resources test provides a “gatekeeping” function. Failure to pass the test should result in denial of a request. Success in passing the test should result in further analysis.

Utilities: The subject property is in Consolidated Public Water Service District #1, the Boone Electric Cooperative service area, and the Boone County Fire Protection District. Improvement of the existing water line to a 12” is currently being reviewed by Consolidated Public Water Service District #1. This improvement is necessary to meet the fire flow requirement of this proposal. Wastewater treatment will be handled with an on-site system under the jurisdiction of the Columbia/Boone County Health Department.

Transportation: The subject property is located on Bass Lane, a publicly-dedicated, publicly-maintained right of way. Bass Lane is currently a gravel drive surface. Improvement to that surface are necessary for purposes of dust control.

Public Safety: The subject property is approximately ½ mile to the east of Boone County Fire Protection District Station 15 on Tom Bass Road. Fire code requirements will be met by the improvement of the water line to this property and during the construction of the proposed building.

Zoning Analysis: This property has supported the growth of the Endovac facility since its inception as a conditional use permit in 1986. In the intervening 32 years, the impact of the conditional use permit on the surrounding properties has been minimal. The success of this use leads to its eventual growth. While the potential intensity of M-L uses may be excessive for this site, the proposed M-LP limits the Allowed Uses to those that are similar to what is occurring on the property now. Therefore, the infrastructure requirements of this proposal are minimized.

The property scored 43 points on the rating system.

Staff recommends approval of the rezoning request and the review plan with the following conditions:

- Prior to construction of the proposed building, the applicant shall provide and implement a dust control plan for Bass Lane that is acceptable to and has been approved by the Director of Resource Management and County Engineer.
- Installation of the waterline improvement will have been completed prior to issuing a building permit.

The Planning & Zoning Commission conducted a public hearing on this request during their September 20, 2018 regular meeting. There were eight members of the commission present during the meeting.

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

A motion was then made to recommend approving the Review Plan for ENDOVAC ANIMAL HEALTH with the following conditions:

- Prior to construction of the proposed building, the applicant shall provide and implement a dust control plan for Bass Lane that is acceptable to and has been approved by the Director of Resource Management and County Engineer.
- Installation of the waterline improvement will have been completed prior to issuing a building permit

That motion carried unanimously.

Commissioner Atwill asked if the water line improvements were already done.

Stan Shawver said they have to be done before the building permit can be issued.

Commissioner Atwill opened the public hearing.

Steve Knorr was present to speak on this matter.

Steve Knorr stated that the water lines should be completed before they begin construction. They have an agreement with Consolidated Water. His understanding is that as soon as the cornfield next to them comes out, they will begin construction and they said it should take 10 days. The folks over there think that by November 1st, they should have that water line in.

There were no more public comments.

Commissioner Atwill closed the public hearing.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the request by AEM Diversified Investments LLC to rezone from A-1 (Agriculture) to M-LP (Planned Industrial) on 20.0 acres, more or less, located at 6080 E Bass Ln, Columbia, Missouri.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #433-2018**

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the request by AEM Diversified Investments LLC to approve a Review Plan for ENDOVAC ANIMAL HEALTH on 20.0 acres, more or less, located at 6080 E Bass Ln, Columbia, Missouri with the following conditions:

- Prior to construction of the proposed building, the applicant shall provide and implement a dust control plan for Bass Lane that is acceptable to and has been approved by the Director of Resource Management and county Engineer.
- Installation of the waterline improvements will have been completed prior to issuing a building permit.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #434-2018**

3. **Serendipity Plat 3. S18-T47N-R12W. A-2. Stephen and Donna Preston, owners. James B. Patchett, surveyor.**

Stan Shawver said Serendipity Plat 3 is located just south of Pierpont on Tomlin Hill Rd. This is an existing lot that has been increased in size.

4. **Goose Down Estates Plat 2. S34-T46N-R12W. A-R. Thomas O. Don Nichols and Mary C. Lauf, owners. Curtis E. Basinger, surveyor.**

Stan Shawver said Goose Down Estates Plat 2 is located 2 ½ miles south of Ashland. This is a reconfiguration of existing lots.

5. **American Outdoor Brands. S6-T48N-R11W. M-L. Ryan Boone County LLC, developer. David T. Butcher, surveyor.**

Stan Shawver said American Outdoor Brands (7/19/2018) is the site of American Outdoor Brands east of Columbia on State Highway Z.

There were no comments or questions from the Commission.

All plats done on one order

Commissioner Parry moved 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:

- Serendipity Plat 3. S18-T47N-R12W. A-2. Stephen and Donna Preston, owners. James B. Patchett, surveyor.
- Goose Down Estates Plat 2. S34-T48N-R12W. Thomas O. Don Nichols and Mary C. Lauf, owners. Curtis E. Basinger, surveyor.
- American Outdoor Brands. S6-T48N-R11W. M-L. Ryan Boone County LLC,

developer. David T. Butcher, surveyor.
Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #435-2018**

6. First & Second Reading; Recommendation for roadway maintenance acceptance of Enterprise Drive within the American Outdoor Brands Plat 1 subdivision Plat

Stan Shawver said the plat that was just received and accepted by the Commission for American Outdoor Brands included a public road dedication for Enterprise Drive. Enterprise Drive has been completed. It was built to County standards and was inspected throughout the construction process. The next step as part of the platting process is for the Commission to accept that road for maintenance.

There were no comments or questions from the Commission.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby accept the attached recommendation for roadway maintenance within American Outdoor Brands, Plat 1 – Enterprise Drive.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #436-2018**

Commission

7. First & Second Reading; Application for Organizational Use of Boone County Conference Rooms: Mid-Missouri Peaceworks

Commissioner Parry moved on this day the County Commission of the County of Boone

does hereby approve the Organizational Use of the Boone County Government Center Chambers by Mid-Missouri Peaceworks on October 17, 2018 from 6:30 pm to 9:30 pm.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #437-2018**

8. First & Second Reading; Application for Organizational Use of Boone County Conference Rooms: Renew Missouri

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the Organizational Use of the Boone County Government Center Chambers by Renew Missouri on October 10, 2018 from 11:00 am to 2:00 pm.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #438-2018**

9. First & Second Reading; Board re-appointment: James Pounds, Building Code Commission

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby re-appoint the following:

Name	Board	Period
James Pounds	Building Code Commission	October 1, 2018 thru September 30, 2020

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #439-2018**

10. Public Comment

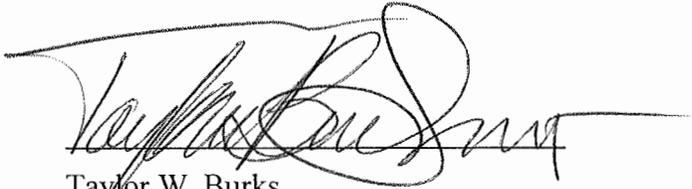
None

11. Commission Reports

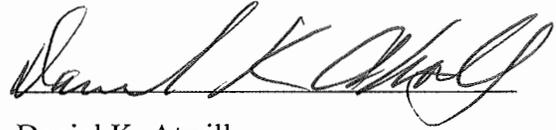
Commissioner Thompson said last week Boone County was praised by former First Lady, Michelle Obama in a speech she was giving on the importance of people voting. She spent 30 percent of the speech talking about Boone County and how we recognized the importance of children and children's development, and how we put the effort into getting our mental health tax passed. How we went out and really pounded the pavement to encourage people to vote. In fact, we did support that with over 60 percent of the vote. She noted our FACE program and all the mental health screenings that are going on for our children. It was impressive that of all the counties in the United States, Boone County was publicly recognized for what we have done here with our Children Service's Fund.

The meeting adjourned at 7:22 p.m.

Attest:



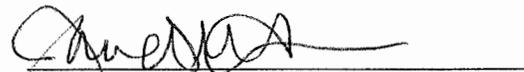
Taylor W. Burks
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Fred J. Parry
District I Commissioner



Janet M. Thompson
District II Commissioner