

TERM OF COMMISSION: June Session of the April Adjourned Term

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

PRESENT WERE: Presiding Commissioner Daniel Atwill
District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Purchasing Melinda Bobbitt
Director of Resource Management Bill Florea
Resource Management Planner CeCe Riley
Director of Community Services Joanne Nelson
Deputy County Clerk Jodi Vanskike

Public Present: Paul Land, Ben Ross, Bernard Dothage, Harold Chapman, Jr.

Conference Call Information:

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

The meeting was called to order at 9:30am.

P & Z

- 1. Request by Crown Power & Equipment to rezone 3.43 acres from R-D (Two-Family Residential) and 1.68 acres from R-M (Moderate-Density Residential) to C-G (General Commercial) located at 7106 E I-70 Drive SE, Columbia.**

Director of Resource Management Bill Florea stated he has submitted his staff report in writing to the Commission and asked that it be attached to the official minutes. Director Florea stated this is a request to rezone a total of 5.11 acres, 3.4 acres R-D and 1.7 acres R-M, to general commercial. Director Florea stated the staff report to the Planning and Zoning Committee recommended denial based on conflicts with the East Area plan and the sufficiency of resources test. Director Florea stated there is currently not fire flow on the property and stated there is a sewer under the connection agreement between the sewer district and the City of Columbia.

Director Florea stated it is a sewer district line, which will require an agreement to connect and may require an agreement to annex. Director Florea stated these are the reasons for the staff report recommendations. Director Florea stated after the hearing, Planning and Zoning Commission passed a recommendation to approve by a 6-3 vote. Commissioner Thompson asked, should this be approved, what happens to the concerns about sewer and water? Director Florea stated those would be deferred to the building permit stage, and they would not be able to issue a permit to construct anything on that property until those services were available to the property. Commissioner Aldred asked if anything was received from the 71 property owners who were notified. Director Florea stated they received one comment from a property owner that has a similarly situated property, where the old lagoon at Sunrise Estates was. Director Florea stated this property owner had requested general commercial zoning in the past and had been told that until commercial fire flow was available to the property, it was not an option. Director Florea stated that property owner had never pursued the application after that, but has expressed interest now, but has not registered an opinion whether for or against. Ben Ross, owner of Engineering Surveys and Services, stated Mr. Bernard Dothage was present, who is the property owner to the east of the subject site and is in favor of the rezoning, and Mr. Harold Chapman Jr. with Crown Power & Equipment was present. Mr. Chapman stated this property was bought along with the property that Mr. Dothage owns now when they operated a New Holland Cub Cadet dealership there. Mr. Chapman stated New Holland came out with a mandate that they needed more acreage so they bought the property in question today so that they would be in compliance if the business ever grew that much. Mr. Chapman stated, four years after they bought the property, they decided to move everything out to Prathersville Rd, where they have been since 1995. Mr. Ross stated the property does have commercial zoning to the east and stated they reached out to the neighbors and none of them were opposed to the rezoning. Developer Paul Land stated he thinks this is an appropriate spot for commercial zoning and that in the last three years they haven't had any inquiry for residential development despite it being zoned as residential now. Mr. Ross stated the traffic count on Interstate 70 has gone up 20,000 cars a day and stated he thinks the future of this area is commercial and think the zoning is appropriate.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the request by Crown Power and Equipment to rezone 3.43 acres currently zoned Two-Family Residential (R-D) and 1.68 acres currently zoned Moderate Density Residential (R-M) to General Commercial (C-G) located at 7106 E I-70 Drive SE, Columbia.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #265-2021**

2. **Cochran Subdivision Plat 2. A-2. S25-T51N-R14W. Allen & Judy Cochran and Sean & Angela Cochran, owners. Steve Proctor, surveyor.**
3. **Higher Ground Subdivision Plat 1. S24-T50N-R14W. A-2. Gems Hilltop Acres LLC, owner. Steven Proctor, surveyor.**
4. **Quarry Farms Subdivision Plat 1. S26-T51N-R13W. A-2. Tim Burke, owner. Steven Proctor, surveyor**

All three plats were combined on one Order. Commissioner Thompson 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:

1. Cochran Subdivision Plat 2. A-2. S25-T51N-R14W. Allen & Judy Cochran and Sean & Angela Cochran, owners. Steve Proctor, surveyor.
2. Higher Ground Subdivision Plat 1. S24-T50N-R14W. A-2. Gems Hilltop Acres LLC, owner. Steven Proctor, surveyor.
3. Quarry Farms Subdivision Plat 1. S26-T51N-R13W. A-2. Tim Burke, owner. Steven Proctor, surveyor.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #266-2021**

Community Services

5. First and Second Reading: OJJDP FY21 Comprehensive Youth Violence Prevention and Reduction Program Grant Application

Director of Community Services Joanne Nelson stated the Community Services Department is applying for the Office of Juvenile Justice Delinquency Prevention Grant for the comprehensive youth violence prevention and reduction program. Director Nelson stated she asked for a first and second reading today because they would like to turn it in, if approved. Director Nelson provided all written information to the Commission, which will be included with the official order. Director Nelson stated there is no obligation on the County for funds and they are applying for \$1,000,000.00, spread out over three years.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the attached Executive Summary as an outline for the grant application with the Office of Juvenile Justice and Delinquency Prevention for the OJJDP FY21 Comprehensive Youth Violence Prevention and Reduction Program.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #267-2021**

Purchasing

6. First Reading: Disposal of Surplus Vehicle – 2011 Crown Victoria

Director of Purchasing Melinda Bobbitt read the following memo:

The Sheriff's Office requests commission approval to dispose of the following surplus vehicle through the Missouri Auto Auction. Our contract with MO Auto Auction is 15-24APR15 – Auction Services for Surplus Vehicles.

AUCTION THROUGH MISSOURI AUTO AUCTION				
Year	Description	Approximate Mileage	VIN #	Condition
2011	Ford Crown Vic (asset tag 17796)	116,021	2FABP7BV1BX177043	Good

This Crown Vic, asset tag 17796 is currently located at the Juvenile Justice Center. The Sheriff's Office is transferring asset # 22298 for a 2017 Ford Interceptor Utility with 106,000 to the Juvenile Justice Center to replace this vehicle.

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.

7. Second Reading: RFP Award Recommendation: 21-04JUN21 - Consulting Services for the 13th Judicial Court (First Read 06.24.21)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request for proposal for 21-04JUN21 - Consulting Services, for the 13th Judicial Court, which closed on June 4, 2021. Two proposal responses were received.

The Evaluation Committee recommends award to The Institute for Police, Mental Health & Community Collaboration (under the auspices of Coordinated Care Services, Inc.) of Rochester, New York.

Total cost of contract is \$38,755.00 and will be paid from the following:

- \$33,755 from Department 1244 - GF Court OPS Grants, Account 71101 - Professional Services
- \$5,000 from Department 1244 - GF Court Ops Grants, Account 85710 - Travel

A Budget Amendment was processed for this purchase of services.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #268-2021**

Commission

- 8. First and Second Reading: Request for use of the Commission Chambers**
- League of Women Voters – Columbia Boone County Civil Liberties Committee**

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Organizational Use of the Boone County conference rooms by the League of Women Voters – Columbia – Boone County Civil Liberties Committee on Tuesday September 21, 2021 from 5:45 pm until 9:30 pm. This approval is contingent upon adherence to the current health order. The Commission’s approval of the use of the interior of the Government Center, specifically the Commission Chambers, is conditioned upon that inside use being consistent with the then-applicable building use policies set forth by the Commission in light of the COVID-19 pandemic and local health orders.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #269-2021**

9. Public Comment

No public present. Commissioner Atwill Opened/Closed the public hearing.

10. Commissioner Reports

None.

Attest:



Daniel K. Atwill

Presiding Commissioner



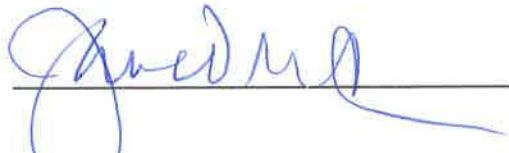
Brianna L. Lennon

Clerk of the County Commission



Justin Aldred

District I Commissioner



Janet M. Thompson

District II Commissioner

Staff Report for County Commission
RE: P&Z Agenda Items
June 29, 2021

Crown Power – rezone

The Planning and Zoning Commission reviewed this request at its June 17, 2021 meeting and voted to recommend approval on a six to three vote. The minutes of that meeting and the Boone County Zoning and Subdivision Regulations are entered into the record of this meeting.

This property is located on the south side of I-70 Dr. SE approximately 1 mile east of the I-70/Lake of the Woods interchange. The parcel is 5.11-acres in area. The original zoning was R-S. It was rezoned in 1993 and is currently split zoned with the north 3.4-acres zoned R-D (Two-Family Residential) and 1.7-acres zoned R-M (Moderate Density Residential). The site is currently occupied by a small residential structure that will be removed when the site is redeveloped. This property was part of a C-GP (Planned General Commercial) request submitted in 2004, that request was withdrawn by the applicant during the Planning & Zoning hearing. The Master Plan designates this property as suitable for residential land use.

The surrounding zoning is as follows:

- South, and west R-S.
- East, C-G after having been rezoned from R-S in 2019 to legitimize a legal nonconforming use.
- North, City of Columbia Planned Industrial

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

Utilities: Public Water Supply District 9 provides water service to the property. There is a 2.5-inch water main across the entire frontage of the property, which is not capable of producing commercial fire flow. A main extension from Wester Lane, approximately 1100-feet west, would allow connection to an 8-inch main. It is unknown whether that connection would provide adequate fire flow. A water study would likely be needed.

There is a Boone County Regional Sewer District line on the adjoining property to the east that connects to the Columbia treatment plant. The existing building is not connected to the sewer line. Connection to the line will likely require the owner to enter an annexation agreement with the City of Columbia. We do not have any documentation that this process has been requested or approved, nor what conditions would be tied to such an approval. Sewer service cannot be verified at this time.

Boone Electric provides power.

Transportation: The subject tract has frontage on and direct access to I-70 Drive SE. The drive access appears to be shared. The other properties sharing the access are residentially zoned.

Public Safety Services: The property is approximately two miles from the Boone County Fire station at 5910 E. St. Charles Road.

Stormwater: New development or redevelopment on the site will be required to comply with the Boone County Stormwater Regulations.

Zoning Analysis:

The Master Plan and the East Area Plan designate this property as suitable for residential land use. The proposed rezoning to C-G conflicts with several goals of the East Area Plan:

- The plan encourages multiple housing types in the area. The existing zoning of R-D and R-M aligns with that goal.
- The plan discourages strip commercial zoning in favor of nodal commercial zoning. This proposal contributes to the developing pattern of strip commercial zoning.
- The plan states that commercial areas should support residential uses. The requested open C-G does not limit potential uses to residential services as would a request for Neighborhood Commercial or C-GP.

Under open zoning, the property must be able to support all Permitted Uses in the C-G district; this has not been demonstrated. It has not been shown that central sewer, which is subject to approval by the City of Columbia, is available at this time. Water sufficient to provide commercial fire flow is not available at the property nor has been shown to be available, therefore the

proposal fails to pass the sufficiency of resources test in addition to the conflicts with the East Area Plan.

Staff notified 71 property owners about this request. The property scored 65 points on the rating system.

Staff recommended denial of the rezoning for failure to pass the sufficiency of resource test and because of conflicts with the adopted East Area Plan.

Plats

At its June 17, 2021 meeting, the Planning and Zoning Commission approved the plats of *Cochran Subdivision Plat 2, Higher Ground Subdivision Plat 1, and Quarry Farms* by consent. I ask that you waive the reading of the staff reports and authorize the clerk to insert the them into the meeting minutes.

Cochran Subdivision Plat 2

The property is located just south of the intersection of Carr Lane and State Route F, approximately 3 ½ miles north of Harrisburg and 11.13 acres in size. This proposal creates two lots, one at 5.56 acres, the other at 5.57 acres. Both lots are already developed with single-family residences and on-site wastewater systems. The plat revises the previously-platted Cochran Subdivision to include the adjacent property to the north and the lake between both properties. This plat consolidates a not-for-development tract with the two lots, making that area developable. The subject property is zoned A-2(Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

The lots have direct access to State Route F. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to the lot is provided by Public Water Service District #10 and electrical service is provided by Boone Electric Cooperative.

Existing on-site systems provide wastewater disposal for the single-family residences. The applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

The property scored 36 points on the rating system.

Staff recommends approval of the plat and the requested waivers.

Higher Ground Subdivision Plat 1

The property is located at the northwest corner of the intersection of N Bethlehem Road and W Gray Rd, approximately 1.5 miles southeast of the City of Harrisburg. It is 40.07 acres in size and zoned A-2 (Agriculture). It is surrounded by A-2 zoning, all of which is original 1973 zoning. This proposal divides two tracts into three lots and reconfigures the remainder into a 20+ acre survey.

The three lots proposed to be platted are 5.00, 5.09, and 5.38 acres, respectively. The property within this plat proposal is currently undeveloped.

All three lots have frontage on and direct access to Gray Rd and/or Bethlehem Rd. Both roads are publicly maintained gravel roads. The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Consolidated Water District #1, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

Wastewater has been proposed as on-site lagoons. The health department has been made aware of this proposal and has indicated no foreseen issues at this time. Any new development on these property's on-site wastewater treatment systems will require permitting from the Columbia/Boone County Health Department.

The property scored 30 points on the rating system.

Staff recommends **approval** of the plat and granting the requested waivers.

Quarry Farms

The property is located on West Creed Road, approximately 7 miles southwest of the City of Sturgeon. The property is 24.8 acres in size and zoned A-2 (Agriculture). This proposal divides the north 4.8 acres from the remaining 20-acre tract. The property is currently undeveloped.

The lot will have frontage on and direct access on to W Creed Rd, a publicly maintained gravel road. The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Public Water Supply District #10, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

Wastewater has been proposed as an on-site lagoon. The health department has been made aware of this proposal and has indicated no foreseen issues at this time. Any new development on this property's on-site wastewater treatment system will require a permit from the Columbia/Boone County Health Department.

The property scored 35 points on the rating system.