

TERM OF COMMISSION: August Session of the July Adjourned Term

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

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

Public Present: Chris Sander – McClure Engineering, Jay Gebhardt – A Civil Group, Keenan Simon – Simon & Struempff Engineering, Jim Krogman – JR2 Development, Eric Blume, Gerald Craig

Conference Call Information:

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

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

P&Z

- 1. Request by Butch's Investments to rezone to M-LP (Planned Light Industrial) and to approve a revised review plan in the A-1 zoning district on 22.08 acres located at 5450 E Highway 163, Columbia (Open Public Hearing)**

Director of Resource Management Bill Florea read the following staff report: The Planning and Zoning Commission conducted a public hearing on this request on July 21, 2022 and recommended approval on a unanimous vote. The minutes of that meeting and the Boone County Zoning and Subdivision Regulations are incorporated into the record of this meeting.

The subject property is located on Route 163, approximately 1300 feet west of US Highway 63. The property currently has an existing accessory building present. The subject property is 22.09 acres in size and zoned A-1 (Agriculture) and has an approved review plan allowing a limited use M-LP Industrial Park.

Adjacent Zoning:

South, east, and northwest is A-1;

West is REC-P (Planned Recreation) rezoned in 2021;

North and northeast M-L (Light Industrial).

A-1 Property to the east at the intersection of 163 and S. Tom Bass Road was granted a conditional use permit for a dog kennel in April 2014

Zoning History:

In 2016 Requested M-LP for the subject property and the adjacent 10-acre tract was denied by the Planning & Zoning Commission.

September 2020, Requested M-LP (Planned Light Industrial) rezoning was denied by the Planning & Zoning Commission.

December 2020 requested rezoning to M-LP and review plan was approved for this property allowing development of a limited use light industrial park.

This property is in the Bonne Femme Watershed, an environmentally sensitive area, and the Devil's Icebox recharge area. The property scored 55 points on the rating system.

The applicant has applied to revise the current M-LP (Planned Light Industrial) plan to allow for an alternative design for the site. The primary plan will still be an option for this property if this revision is approved. The revision allows for an alternative design on lots 11B-2 and 11B-3, with four smaller buildings instead of the single large building proposed on those lots with the primary design. It also allows for an addition of a building to lot 11A-1. This alternative design has a significantly smaller building footprint, even with the additional building proposed on lot 11A-1, allowing for less parking.

The primary plan includes two buildings that are up to 30,000 square feet in size and one building up to 15,000 square feet in size. The existing building and these new buildings will be accessed by an improved drive surface and parking area paved to a minimum of chip and seal with sufficient parking spaces to meet the needs of the uses. This plan is unchanged from the 2020 approval.

The Boone County Master Plan has designated this area as being suitable for rural residential & agricultural land uses. The Sufficiency of Resources Test was used to analyze this request.

Utilities: The subject property is located in Consolidated Public Water Service District #1 and Boone Electric Cooperative service areas. There is a 12" waterline on the south side of Highway 163 that can be extended to provide service and fire protection. Wastewater will be treated through a system, currently under construction, that will be conveyed to the Boone County Regional Sewer District.

Transportation: The property has direct access on to Highway 163. A limited traffic analysis was presented to MoDOT in the September 2020 review of this proposal, and MoDOT expressed no concerns with this increase in activity.

Public Safety: The property is approximately 1 mile from the Boone County Fire Protection District Station located on Tom Bass Road near Meyer Industrial Drive. Compliance with the Fire Code as administered by the Boone County Fire Protection District will be required.

Zoning Analysis: This proposal provides a reasonable alternative design to the larger buildings approved on the prior review plan approved in December of 2020.

The December 2020 approved review plan proposed mitigation of off-site impacts by barring the use of outdoor storage, limiting signage, and installing a vegetative buffer to limit the visual impact of the new buildings. The December approval specifically called out the vegetative buffering in its conditions. The current plan appears to address those conditions, so we will not extend them forward with this plan request.

This revised review plan retains the elements of the December 2020 design and adds the improvements requested by that approval's conditions and provides an alternative site design for two of the proposed lots. This alternative site design has less bulk and may be more suitable than the prior design to this site, but both designs can meet the requirements of the zoning ordinance.

Staff recommends: Approval of the rezoning and review plan with the following condition,

1. Sewer requirements for the alternate design will need to be assessed and reviewed by the Boone County Regional Sewer District to confirm that the current wastewater design can meet those needs prior to the approval of the final plan.

Commissioner Atwill opened the public hearing.

Chris Sander with McClure Engineering stated there will be no changes from the approved review plan, the alternate layout has an overall reduction in the footprint and reduces the feasibility of some of the uses.

Commissioner Atwill closed the public hearing.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve a request by Butch's Investments to rezone from A-1 (Agriculture) to M-LP (Planned Light Industrial) on 22.08 acres located at 5450 E Highway 163, Columbia.

And

Now on this day, the County Commission of the County of Boone does hereby approve the request by Butch's Investments to approve a Review Plan for Butch's Investments 163 on 20.08 acres located at 5450 E Highway 163, Columbia subject to the following condition:

1. Sewer requirements for the alternate design will need to be assessed and reviewed by the Boone County Regional Sewer District to confirm that the current wastewater design can meet those needs prior to the approval of the final plan.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #360-2022**

2. Request by T-Vine Development and Brittany Development for the following:

- to rezone from A-2 (Agriculture) to R-MP (Planned Moderate Density Residential) on 15.26 acres;
- to rezone from A-2 (Agriculture) to R-M (Moderate Density Residential) on 2.26 acres;
- to rezone from A-2 (Agriculture) to R-MP (Planned Moderate Density Residential) on 9.83 acres;
- to rezone from A-2 (Agriculture) to C-GP (Planned General Commercial) on 9.36 acres;
- to rezone from A-2 (Agriculture) to C-GP (Planned General Commercial) on 4.27 acres;
- to approve a review plan and preliminary plat for Settler's Ridge located at 8000 N Route B, Columbia (Open Public Hearing)

Director of Resource Management Bill Florea read the following staff report: The Planning and Zoning Commission conducted a public hearing on this request on July 21, 2022 and recommended approval on a unanimous vote.

RE: The R-MP and C-GP Requests - The proposal covers the undeveloped portion of the Settlers Ridge site at the northeastern and northwestern corners of the intersection of State Routes B & HH, north of Columbia. The property is zoned A-2(Agriculture) and R-S (Residential Single-Family). The A-2 is original 1973 zoning, the R-S was rezoned in the original 2001 requests for this development. This review plan and preliminary plat renews the following:

C-GP (Planned General Commercial) rezoning along the east side of Route B;
R-MP (Planned Residential Moderate Density) zoning along the east side of Settlers Ridge Drive;
R-MP on the west side of Route B and;
the R-S zoned area on the west side of State Route B.

There is a concurrent request for open R-M (Moderate Density Residential) at the southeast corner of Settlers Ridge Drive and Glen Meadows Drive that will be addressed in the following supplemental report

Zoning and Subdivision History:

2001: Approval of a Review Plan and Preliminary Plat and open R-S zoning for this property were approved;
2007: Re-approval of the Review Plan and Preliminary Plat and approval of open R-D (Two-Family Residential);
2004: Approval of a final plan establishing permanent C-GP zoning on Lots 170 and 171;
2011: Re-approval of the Review Plan and Preliminary Plat;
2017: Re-approval of the Review Plan and Preliminary Plat with minor reconfigurations of the zoning district boundaries.

To date, five final plats have been approved including one replat. Plats for Settlers Ridge Plat 4 and 5 were submitted in December of 2021 and April of 2022 respectively. However, the Review Plan and Preliminary Plat of the subject property expired in February of 2022. That expiration created the need for the review plan and preliminary plat under consideration.

The Boone County Master Plan identifies this area as being suitable for residential land uses. The sufficiency of resources test was used to analyze this request. Utilities: The subject property is in Public Water Service District #4 for water service, the Boone County Fire Protection District for fire protection, and the Boone Electric Cooperative service area. The subdivision will receive sewer service from the City of Columbia via a sewer main that was constructed for this project. A revised annexation agreement was executed on November 25, 2011. The agreement dictates conditions under which sewer service will be provided to the property.

Transportation: A traffic impact analysis was completed in 2000, which identified several offsite road improvements. Those improvements were linked to a development phasing plan so that construction of the improvements would occur concurrently with the phase of the development that created the impact that was being mitigated. In 2011, Allstate Consultants completed a traffic analysis to evaluate the needs of the Settlers Ridge development in response to the level of development that had occurred at that time. That analysis indicated that the 2000 traffic impact analysis was still valid. As part of this proposal, A Civil Group has submitted an analysis of current traffic conditions which indicates the same.

Currently, improvements are being constructed in step with the requirements of Settlers Ridge Plat 5. Further development proposals, such as those that redevelop the C-GP and R-MP lots shown

along Settlers Ridge Drive, will require a new traffic study to assess traffic impacts of those developments.

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

Zoning Analysis: This proposal is consistent with the previous versions of the Settlers Ridge development that have been active for the past twenty years. While the plan is being updated to reflect current practices for planned rezonings, the proposal itself is sound and can meet the requirements of the sufficiency of resources test, the zoning ordinance, and the subdivision regulations regarding the preliminary plat aspect of the proposal.

The property scored 71 points on the rating system.

Staff recommended approval of the rezoning request, revised review plan, and preliminary plat with the following conditions:

1. A revised review plan and final plan meeting the requirements of the Boone County Zoning Regulations must be submitted prior to any building construction within each planned district.
 2. Off-site road improvement shall be built by the developer in accordance with the phasing plan and offsite improvement schedule attached to the Preliminary Plat/Review Plan
- RE: The R-M Request - This request covers the undeveloped lot 173 created by Settlers Ridge Plat 2-A. The lot is located at the corner of Settlers Ridge Drive and Glen Meadows Drive and is 2.26 acres in size. The property is zoned A-2 (Agriculture). This lot was created as a not-for-development lot with three other lots for R-M development. The A-2 is original 1973 zoning.

The intent is to make this lot suitable for development in a manner consistent with the other three lots just to the north along Glen Meadows Drive.

The Boone County Master Plan identifies this area as being suitable for residential land uses. The sufficiency of resources test was used to analyze this request.

The resources available to support this rezoning are identical to those described in the previous report and are sufficient to support the requested R-M zoning.

The property scored 71 points on the rating system.

Staff recommended approval of the rezoning request.

Commissioner Atwill opened the public hearing.

Jay Gebhardt of A Civil Group stated this is just a renewal of the existing conditions at the property. Mr. Gebhardt asked Director Florea if he needs to apply for an extension on the review plan. Director Florea stated yes, he would need to do that for the review plan, but the preliminary plat already goes for five years and they would want the review plan to match. Commissioner Atwill asked "How many homes are expected to be built?" Mr. Gebhardt stated as far as single family homes, they are shown on the preliminary plat, but he doesn't know the exact number of them and as far as multi-family homes, they don't know yet, they just think it's suitable to those homes. Mr. Gebhardt stated at this time, they are laying the groundwork and building the infrastructure so that it can be done. Commissioner Thompson asked, "Is there something we need to do tonight to extend the review plan?" Director Florea stated it should be done tonight and there should be a third condition added to the order that states to approve the request to extend the review plan for five years beginning August 9, 2022.

Commissioner Atwill closes the public hearing.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve a request by T-Vine Development and Brittany Development to rezone the following:

- From A-2 (Agriculture) to R-MP (Planned Moderate Density Residential) on 15.26 acres;
- From A-2 (Agriculture) to R-MP (Planned Moderate Density Residential) on 9.83 acres;
- From A-2 (Agriculture) to C-GP (Planned General Commercial) on 9.36 acres;
- From A-2 (Agriculture) to C-GP (Planned General Commercial) on 4.27 acres;

At 8000 N Route B, Columbia.

And

Now on this day, the County Commission of the County of Boone does hereby approve a request by T-Vine Development and Brittany Development to approve a Review Plan and Preliminary Plat for Settlers Ridge subject to the following conditions:

1. A revised review plan and final plan meeting the requirements of the Boone County Zoning Regulations must be submitted prior to any building construction within each planned district.
2. Off-site road improvement shall be built by the developer in accordance with the phasing plan and offsite improvement schedule attached to the Preliminary Plat/Review Plan
3. Approve the request to extend the review plan for 5 years beginning Aug. 9, 2022

And

Now on this day, the County Commission of the County of Boone does hereby approve a request by T-Vine Development and Brittany Development to rezone from A-2 (Agriculture) to R-M (Moderate Density Residential) on 2.26 acres at 8000 N Route B, Columbia.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #361-2022**

3. Request by D Who Land, LLC to rezone from A-1 (Agriculture) to R-SP (Planned Single-Family Residential) on 145.72 acres located at 8100 E Richland Rd, Columbia and, to approve a review plan and preliminary plat for Five Pines Subdivision. S13-T48N-R12W. Derek Forbis, surveyor. Appeal of a recommendation for denial by the Planning and Zoning Commission. Tabled from 6/28/2022. (Open Public Hearing)

Director of Resource Management Bill Florea read the following staff report: The Planning and Zoning Commission reviewed these requests at its June 16, 2022 meeting and recommended denial on a unanimous vote. The minutes of that meeting and the Boone County Zoning and Subdivision Regulations are entered into the record of this meeting.

The property is located on the south side of Richland Road immediately south of the intersection of Richland Road and TradeWinds Parkway. The applicant is seeking to rezone 145.72-acres from A-1 (Agriculture) to R-SP (planned single family residential). The surrounding zoning is as follows: M-L (Light Industrial) to the north and northeast, A-1 to the east, southeast, south, southwest and west, and R-S (residential single family) to the northwest. These are all original 1973 zonings with the exception of approximately nine acres of the northern M-L that was rezoned from R-S in 2008. The property is occupied by a home and one outbuilding. There is a land-locked 22-acre neighboring property, at 8104 E. Richland Road, that the proposed development flanks on two sides and contains a home and outbuildings. The 8104 property is served by existing easements for access and utilities that cross the proposed new development. The proposed development conflicts with those existing easements.

The requested rezoning to R-SP includes a Review Plan/Preliminary Plat for 354 residential lots, ten common lots, and an extension of an existing public roadway, and nine new public roadways. Five of the residential lots are proposed to allow multi-family options with a density up to four units per lot for a 20 unit maximum and the ability to subdivide. The common lot around the existing house is proposed for development amenities such as recreational fields and courts. The house itself is intended to be remodeled into a clubhouse. The plan proposes that the building can be enlarged up to 5000 additional square feet. An architect licensed to practice in the State of Missouri will be required as this will be a change of use. The club house is required to obtain a Conditional Use Permit in addition to being shown on the plan. The proposal indicates up to nine phases to complete the buildout. The common lots are proposed predominantly to be used for stormwater management. Staff notified 34 property owners about this request.

The Master Plan designates this property as suitable for residential land uses. The proposed development is also within the East Area Plan which is a sub-area plan that compliments and refines the Master Plan. The East Area Plan Future Land Use Map shows a generalized graphic depiction of future land use allocation in the Plan area. The text of the plan refines that generalization by allocating land use by watershed. Approximately 86% of the property is within the Grindstone Creek Watershed. The East Area Plan encourages growth in the Grindstone Creek Watershed.

The break between the residential and agricultural areas in the Plan is based upon watershed boundaries, with the Grindstone Creek Watersheds in the residential and industrial areas and the Gans watershed being predominantly agricultural. This is based in part upon the infrastructure investments already completed and existing land use and land cover. However, this is not an absolute distinction to be taken without considering the context of a proposed development. Traditional rectilinear property boundaries do not generally correspond with ridgelines that separate watersheds. These ridgeline boundaries are considered to be slightly fluid as a delineator because site grading and underground utilities can focus impacts caused by development into the dominant watershed. The current proposal is predominantly found within the Grindstone Creek Watershed with only a fringe of approximately 20-acres that extends into the Gans Watershed.

The Sufficiency of Resources test was used to analyze this request.

Utilities: This property is served by Public Water Service District #9, water for fire protection will need to be extended into the development from the existing mains along Richland Road. The Boone County Regional Sewer District and the City of Columbia will provide wastewater services. The property is served by a sewer main that was constructed by the Boone County Regional Sewer District with capacity that is sufficient to serve the anticipated needs within the watershed up to the I-70/Route Z interchange. Boone Electric Cooperative provides power. There is adequate utility capacity to serve the needs of this development without significant upgrades.

Transportation: Access to this property is via Richland Road. The development proposes a public cul-de-sac, Aleppo Court, that serves six lots. An extension of Trade Winds Parkway provides the main collector on the west side of the development and Kieffer Lane is created as the connection on the east.

A traffic study was provided that focused on evaluating the intersections of the surrounding area and what impact the proposed development is expected to have. The study identifies that this development contributes significantly to a failure of the road system at the intersection of Rolling Hills/Grace Lane and Richland Road. The developer has entered into a pre-annexation agreement that requires them to pay \$188,097.20 to the City of Columbia to mitigate this impact.

The study identifies that an eastbound right turn lane is needed at the intersection of Trade Winds Parkway and Richland Road and this turn lane is incorporated into the development design.

Additionally, the study indicates that this development will add 3,465 average daily trips or ADT to Richland Road. The current ADT for Richland Road is 2,950; the development alone will more than double the traffic load on Richland. The traffic study does not propose mitigation of this impact. The study indicates that Richland Road can handle this increase without causing a failure/degradation requiring mitigation. Despite not triggering a roadway failure, the addition of more than double the existing traffic count on the roadway is an impact directly attributable to the development.

The County Roadway Regulations set the ADT threshold for arterial roadways at 2500 ADT. If all of the traffic generated by the development was concentrated on a new roadway within the development, the developer would be required to construct an arterial roadway. Proportionally, the development is adding 138% of the minimum threshold for a County arterial roadway to an existing roadway that does not meet the geometric requirements for an arterial roadway.

The study indicates that Richland Road has a “book” maximum capacity of 11,232 ADT and assuming this is correct, the roadway is currently carrying 26% of its maximum capacity. The additional traffic generated from this development brings this use up to 57% of the maximum capacity. The significant increase in ADT will accelerate the time frame for physical improvements to Richland Road. Additional discussions with the development team have yielded a proposal to require the developer to improve the intersection of Richland Road and Tradewinds Parkway to a three-lane road section. Further analysis and a corresponding condition of approval is contained in the Zoning Analysis and Recommendation sections of this report.

Public Safety: This property is in the Boone County Fire Protection District approximately 4.8 miles from Station 1 on St. Charles Rd and 5.4 miles from the Station 12 at El Chaparral Dr.

Zoning Analysis: Generally, the starting point of any rezoning request is the assumption that the existing zoning is correct. In light of the adoption of the East Area Plan that assumption is not the case here. This proposal is consistent with the East Area Plan and the existing zoning is not. The issue of appropriateness comes down to infrastructure and impacts. The proposal efficiently utilizes existing major infrastructure while enhancing the roadway infrastructure of the area. This is all supported by the East Area Plan. The bulk of the development is in the Grindstone watershed and the small portion that falls in the Gans watershed is likely to be reduced/shifted as part of grading into the Grindstone. The development is required to comply with the stormwater regulations which will further reduce any potential impact to the Gans watershed.

The development utilizes Richland Rd, which is a major area roadway. While not constructed to the geometrics of an Arterial Roadway, it is designated both as an arterial and carries the existing ADT that exceeds the County threshold for an arterial. The existing road surface is around 22 to

24 feet in width, which is less than a new local subdivision roadway. The arterial pavement standard is 50 feet in width. As with the other infrastructure, it is critical that improvements to the road network happen in conjunction with impacts attributable to development in order to support the rezoning.

The contribution to the future roundabout at Rolling Hills/Grace Ln. and Richland Rd. and the provision of an eastbound right turn lane at Trade Winds Parkway address some of the traffic impacts as identified in the traffic study. Mitigation for impacts to Richland Road, was not adequately addressed. This request was tabled in May to allow the developer and staff to develop a mitigation plan that is roughly proportional to the development related impact.

Staff met with the developer and explored an alternative road improvement to address the development generated impacts by encouraging traffic to use alternate routes and enhancing the long-term integrity of the Richland Road – Tradewinds Parkway intersection. Accompanying this improvement are any needed improvements to the culverts and stream that is proximate to the improved intersection. These improvements are based on the Conceptual Diagram Exhibit One, as presented here. The concepts behind these improvements are to encourage traffic from Five Pines to utilize Trade Winds Parkway to get to I-70 DR SE and therefore lessen the impact of development traffic directly to Richland Road and to establish a long term configuration for the intersection of Richland Road and Tradewinds Parkway.

The conflict between the development and the existing access and utility easements favoring the property at 8104 E. Richland Road is a significant factor in the decision whether to approve this development. The developer has presented a Residential Sale Contract signed by JR2 Development, as buyer, and Michael J. Monson and Sandra J. Monson, as seller. This sale should resolve the easement conflict.

~~The conflict will need to be resolved before the Final Plan can be submitted. It will be incumbent on the developer to ensure continuous uninterrupted vehicular access and utility service during the construction phase of the development. It will be necessary for the developer to obtain the consent of the owner of 8104 E. Richland in order to alter those easements. Otherwise, the development may need to be redesigned to respect the existing easements. Alternate easements or access may replace the existing, but this must be resolved between the private parties and the resultant solution must be acceptable to the Director of Resource Management. Access and utility service must remain uninterrupted throughout the construction phases and beyond.~~

With appropriate conditions, Staff believes the requirements of the sufficiency of resources test can be met. The property scored 76 points on the rating system. The nexus and the proportionality of the remaining road improvements that required tabling have been defined and an appropriate solution has been proposed.

Staff recommends approval subject to the following conditions:

~~Prior to submittal of the final plan, the developer shall provide a signed and notarized document from the neighboring property owner at 8104 E. Richland Road that:~~

- ~~a. Describes the manner in which vehicular access and utility service will be maintained continuously and uninterrupted during the construction phase of the development.~~
- ~~b. Agrees to release all portions of the easements, as shown on the survey recorded in Book 1010 Page 103 of the Records of Boone County Missouri, that conflict with proposed public rights of way and any element of the proposed development all subject to the approval of the Director of Resource Management.~~
- ~~c. That it is recognized that failure to appropriately address these concerns to the satisfaction of the Director of Resource Management will result in the need to redesign and bring the proposal back through the process.~~

1. The proposed improvements to the intersection of Trade Winds Parkway and Richland Road, based upon conceptual diagram Exhibit One, including any and all modifications to the drainage and streams proximate to or impacted by the improvements be made to the satisfaction of the Director of Resource Management and the County Engineer.

2. Any off-site improvements, other than the roundabout at the intersection of Rolling Hills and Richland Road, must be installed prior to or concurrently with the phase of the development that includes connection of the southern extension of Trade Winds Parkway to Richland Road or the phase that includes the 101st lot, whichever is earlier.

Commissioner Atwill opened the public hearing.

Keenan Simon from Simon & Struempf Engineering stated he is here tonight to represent JR2 Development. Mr. Simon stated he would like to discuss the oversight of what they plan to do and would like to present a slideshow. Slideshow documents reviewed in Mr. Simon's statement are attached to the end of the minutes.

Commissioner Thompson stated, "You had a slide about the proposed roundabout at Richland Road and Grace Lane." Mr. Simon stated yes, it's just designed to show how that went through. Commissioner Thompson stated, "There was another slide about Richland Road and TradeWinds which is not proposed as a roundabout." Mr. Simon stated that was correct, that is not proposed as a roundabout. Commissioner Thompson asked "Why would you not, at least, have the capacity to make a roundabout there? Would you not want that? You referred to conversations about the impact of all of these developments along Richland Road. How are we going to address that without the capacity to at least expand that to a roundabout?" Mr. Simon stated the intersection at Grace Lane and Richland Road picks up three or four more developments and traffic heading West bound, so essentially they said this is the baseline traffic at that location, this is how much you're adding and you're adding and so on and this is what the project costs are going to be. Mr. Simon stated that's not how they divvied that project up. Mr. Simon stated there is three to four more times the amount of traffic occurring at that intersection that at the Trade Winds intersection at this time, and they aren't at the point to trigger an improvement of a roundabout. Commissioner Thompson asked "Well, are we building for now

or are we building for the future?" Mr. Simon stated they are building for the future, and that's why they are expanding this to meet the requirements that would be required for the Richland Road corridor with reference to the stormwater boxes, there isn't any reconstruction that will need to occur at that location for future improvements. Commissioner Thompson asked, "When you say improvements, what do you envision that would be with all of the development along Richland Road?" Mr. Simon stated like Mr. Florea noted, it's a narrower road and he would expect at some point a widening of that road. Richard Kiley, local resident, stated he doesn't see a significant difference in what they are talking about tonight and what was talked about in front of the Planning & Zoning Commission when they unanimously denied the request. Mr. Kiley stated his concern is if the Commissioners feel this should go through, perhaps it should go back to the Planning & Zoning Commission rather than to be approved at this level. Mr. Kiley stated he lives on Olivet and he walks on those roads and sees bicyclists up and down those roads every day. Mr. Kiley stated his largest concern isn't the development going in, because he understands the need for new housing and housing of that particular size, but it doesn't appear that Richland Road is anywhere capable of handling a doubling of what is taking place today. Mr. Kiley stated it's a very narrow road and there are places on the road now that need repaired. Mr. Kiley stated shoulders are non-existent so it will be very dangerous for people who are walking or on bicycles if the traffic is doubled. Mr. Kiley stated he would propose that improvements to Richland Road, not just at the roundabout and not just at TradeWinds, take place before the development takes place so that it can handle the traffic. Mr. Kiley stated there are 150 new homes going in with Old Hawthorne which is about a half mile farther down the road. Mary Hendrickson, local resident, stated she would like the Commissioners to keep in mind that the Planning & Zoning Commission's recommendation was to deny this, and this does not fit with the plan for Eastern Boone County with agriculture land. Ms. Hendrickson stated she understands the need for housing, but housing should be closer to Columbia, and stated she hopes the Commission doesn't allow this development to move forward. Eric Blume, local resident, stated he has been through this a couple times before. Mr. Blume stated at some point the traffic issue will be resolved although he isn't sure this plan is sufficient to do that and isn't sure the roundabout at Grace Lane will do anything as far as traffic there. Mr. Blume stated his biggest concern is the fact that the runoff and retention exists here. Mr. Blume stated this developer has a development across the street from him where there will be 35 homes on 10 acres and there is a retention pond there. Mr. Blume stated even though he's sure the retention pond was approved and engineered, does nothing. Mr. Blume stated the retention pond might slow it down some, but he would assure the Commission that it floods every time there is a big rain. Mr. Blume stated Richland Road floods, his yard floods and it's an issue. Mr. Blume stated all the additional runoff that's going to be created off the Grindstone is going to come directly onto his property. Mr. Blume stated he is very concerned that, despite best efforts, what's going to happen there will be a traumatic impact to his land because they are right beside it. Gerald Craig, local resident, stated there's going to be a lot of traffic going to Grace Lane but it's also going to be turning right and going down Olivet Road. Mr. Craig stated WW and Olivet Road is a dangerous intersection and he feels as if this is too many lots and is out of place. Chris Sander came back to the microphone and stated they go with the RSP planning because that restricts the number of lots that can be utilized on the property. Mr. Sander stated their understanding and approach with this planning and development is to ask for more, even if you are going to do less. Mr. Sander stated although they have allotted 350 lots, it will probably be closer to 320 or

less. Jim Krogman from JR2 Development stated the feedback was pretty clear from P&Z when they were there the last time, and it was pretty clear from the public as well, that the three areas they needed to improve on were dealing with both the driveway and utility easement, which they have resolved, flooding and existing conditions, which they have resolved, and stated they have stretched themselves as far as they can in reference to improving Richland Road at the roundabout and in front of their own subdivision. Mr. Krogman stated to be characterized as not doing anything since the last meeting, he takes objection to. Mr. Krogman stated he feels very comfortable that they are going to deliver on what they say they are going to do. Chief Engineer Jeff McCann stated the developers are correct that for a residential development, they would be required to retain the stormwater up to a 25-year rain event. Mr. McCann stated because there are known downstream issues, the stormwater ordinance allows the Director to impose stricter requirements. Mr. McCann stated this was brought to the developer's attention and that if it made it past this point and went into design, for that review they would have to do a 100-year storm detention as well. Richard Kiley, local resident, stated the Planning & Zoning Commission unanimously denied this. Commissioner Atwill stated "We're aware of that. It's part of the record." Mr. Kiley stated, do you know, with the changes that have been made, that the Planning & Zoning Commission would approve it at this point. Commissioner Atwill stated "The process may not be what you want". Mr. Kiley asked, "I'm just asking if it's relevant". Commissioner Atwill stated "Actually, no. This is an appeal process, which comes to us with an open end, so we don't have to send it back." Mr. Kiley asked, "Do you generally make a habit of approving projects that have been unanimously voted down by the Planning & Zoning Commission? If they've said that, do we know if they have changed their position based on any of the adjustments that have been made in the plan." Commissioner Atwill stated "They have not changed their position because they have not had it returned to them. It's an opinion that's in writing, in the record, and we are aware of it. This came to us as a new item." Commissioner Thompson stated she appreciates the conversation they just had about stormwater, because that helps alleviate some of her concerns about the current conditions. Commissioner Thompson stated her concern is putting a whole row of developments down a road that can't sustain that kind of traffic. Commissioner Thompson stated Richland Road is used as an arterial road, but it is not constructed as an arterial road. Commissioner Aldred stated he also shares in Commissioner Thompson's concern of adding over 3,000 daily trips to Richland Road. Commissioner Atwill stated that this is a difficult situation. Commissioner Atwill stated the developer has done a really good job of trying to comply with the situation, and unfortunately, the problem that exists is not one they can solve. Commissioner Atwill stated there are four things that help with the creating of a new neighborhood: you must have water, you must have electricity, you must have sewer and you must have roads. Commissioner Atwill stated in this case you've got three of those. In fact a great deal of money has been spent on trying to establish an excellent sewer system through there and development always follows the sewer systems. Commissioner Atwill stated it has been the tradition of this County to wait until a road is so over-used, that you should go forward at that point with construction of a better road. Commissioner Atwill stated this same thing happened in the last few years on Nifong. Commissioner Atwill stated the worst time to try to repair a road is when it's already over-used. Commissioner Atwill stated it takes a lot of vision to say you must build the road before the houses are there, but in this case it's easy, because it's clear it's going to happen. Commissioner Atwill stated TradeWinds is going to continue to grow, it's going to add traffic and the City of

Columbia has authorized other housing developments that have been mentioned. Commissioner Atwill stated this is a County road, for the most part, so it's the responsibility of the County to do something about the road. Commissioner Atwill stated a few years ago, the City and the County combined efforts and built Rolling Hills Road. Commissioner Atwill stated that was a major improvement out there and needs to be done the other way, east and west because it's an ideal area for housing, and as much as you would like it to remain an agricultural area, it's not going to. Commissioner Atwill stated there is too much pressure in this community for housing, and that is an area that is ideally suited for growth because of the other three things, water, sewer and electricity, so it's going to happen. Commissioner Atwill stated he is willing to say, at this point, it shouldn't happen now. Commissioner Atwill stated actions should be taken to develop Richland Road all the way up to St. Charles and it will be very costly. Commissioner Atwill stated the County has bonding capacity to come up with funding for that, and the City of Columbia should participate. Commissioner Atwill stated he is going to be reluctantly opposed to approving this, and stated the developer is not at fault in any way, but it's a dilemma in the Commissioners laps and he can't support it. Commissioner Thompson thanks the developers, who have done a yeoman's job at preparing this, but stated this is on the City of Columbia and the County of Boone. Commissioner Thompson stated, through this forum, she hopes that the City is listening because the City and the County need to come together to resolve this road before it becomes overwhelmed.

Commissioner Atwill closed the public hearing.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby deny the request by D Who Land, LLC to rezone from A-1 (Agriculture) to R-SP (Planned Single Family) on 145.72 acres located at 8100 E Richland Road, Columbia.

AND

Now on this day, the Boone County Commission does hereby deny the request by D Who Land, LLC to approve a Review Plan and Preliminary Plat for Five Pines on 145.72 acres located at 8100 E Richland Road, Columbia.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #362-2022**

4. Request by Cheryl Ann Steffan to approve a Final Development Plan for Steffan Crossing on 20.32 acres located at 5480 E Spiva Crossing Rd, Hallsville (Pending A-2P zoning)

Director of Resource Management Bill Florea read the following staff report: The Planning and Zoning Commission conducted a public hearing on this request on July 21, 2022 and recommended approval on a unanimous vote.

The 20.32-acre property is located off Spiva Crossing Road, about a half mile east from the intersection of Spiva Crossing Road and North Brown Station Drive. Two dwelling units and two corresponding lagoons, a detached garage, and a pole barn exist on the property. The zoning is A-2 (Agriculture) as is all the adjacent property. The Boone County Master Plan designates this area as being suitable for rural residential land use. The initial review plan was approved under County Commission order #236-2022. The proposal scored 50 points on the point rating system.

The proposal seeks to rezone the property from A-2 to A-2P to allow for a 5-acre division of land to be completed via the Family Transfer process and utilize the density of the parent zoning district to construct a new dwelling on the 5 acre tract. The remainder of the parent parcel will include the two existing dwelling units and be surveyed as an Administrative Survey tract.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval:

- All the required information is accurately portrayed on the Plan
- The Final Plan conforms to the approved Review Plan
- The Final Plan demonstrates compliance with all conditions, which the County

Commission may have imposed on the Final Plan

Two conditions were placed on this plan under County Commission order 236-2022:

1. The existing lagoon on the proposed 5-acre Family Transfer Lot is relocated to the 15.32-acre Administrative Survey Lot before submittal of a Final Plan.
2. That a 33' halfwidth roadway easement and 20' utility easement along Spiva Crossing Road are granted to Boone County concurrent to the approval of the Administrative Survey and Family Transfer.

After review, staff found that the proposal meets the criteria for a Final Plan. The Final Plan notes that the lagoon conditioned during the Review Plan has been relocated to the Administrative Survey tract. Both tracts of land include separate roadway and utility easements as required under the Review Plan conditions.

Staff recommended approval of the Final Plan.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request by Cheryl Ann Steffan to approve a Final Development Plan for Steffan Crossing on 20.32 acres located at 5480 Spiva Crossing Road, Hallsville.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #363-2022**

5. Marsh Commercial, Plat 2A Final Plat. M-LP. S3-T48-R14W. D.F. Clark & Sons LLC, owner. David Butcher, surveyor

Director of Resource Management Bill Florea read the following staff report: The Planning and Zoning Commission reviewed the plat of Marsh Commercial, Plat 2A at its July 21, 2022 meeting and approved it on a unanimous vote. I ask that you waive the reading of the staff report and authorize the clerk to insert it into the meeting minutes as though read verbatim. Staff recommends that you receive and accept the plat of Marsh Commercial, Plat 2A and authorize the Presiding Commissioner to sign it.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby receive and accept the plat of Marsh Commercial, Plat 2 and authorizes the presiding commissioner to sign it.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #364-2022**

Community Services

6. **Second Reading: Budget Amendment Dept 2160 – Increase funds to cover the cost of additional Program Specialist (First Read 07.26.22) Open Public Hearing**
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 Budget Amendment for Department 2160 to cover the cost of an additional Program Specialist position.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #365-2022**

13th Judicial Circuit Court

7. **Second Reading: Budget Amendment - Dept 1243 JJPA Grant (First Read 07.26.22) Open Public Hearing**

Commissioner Atwill opened and closed the public hearing.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Budget Amendment for Department 1243 for the Juvenile Justice Program Assistance (JJPA) Grant.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #366-2022**

8. Second Reading: Budget Amendment – Dept 1243 DRRF Grant (First Read 07.26.22) Open Public Hearing

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 Budget Amendment for Department 1243 for the Domestic Relations Resolution Fund (DRRF) Grant.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #367-2022**

Emergency Management

9. Second Reading: Budget Amendment Dept. 2702 – Request to cover the purchase of 3 band portable radios (First Read 07.28.22) Open Public Hearing

Commissioner Atwill opened and closed the public hearing.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Budget Amendment for Department 2702 for the purchase of 3 band portable radios.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #368-2022**

Sheriff's Office

10. Second Reading: City of Fulton K-9 Basic Training Services Agreement (First Read 08.04.22)

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the attached K-9 Basic Training Services Agreement between Boone County and the following:

- City of Fulton

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

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #369-2022**

Purchasing

- 11. Second Reading: Cooperative Contract: 00318 (FE Contract # C000435) – Public Safety Communications Products, Services, and Solutions with Avtec, LLC. Cooperative contract used to purchase Avtec Scout Radio Consoles and ScoutCare Maintenance from Avtec, LLC (First Read 08.04.22)**

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Cooperative Contract 00318 to purchase Radio Consoles and maintenance from Avtec, LLC. This is a Term and Supply contract for the period starting July 1, 2022 and ending December 31, 2026 with one, 24-month renewal period. The initial order is for a software upgrade to the eight small consoles in the Emergency Operations Center for a total cost of \$11,400.00.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #370-2022**

Commission

- 12. First Reading: First reading acknowledging receipt of the annual financial report from the Centralia Special Road District (CSR D)**

Boone County Counselor CJ Dykhouse stated Revised Statute of Missouri 233.150 requires that during the month of August any road districts within the County report on their financial conditions to the County Commission. Counselor Dykhouse stated Anthony Kendrick has provided the Commission with his financial statements and we are ready to proceed and accept them.

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.

- 13. Public Comment

None

- 14. Commissioner Reports

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



SIMON & STRUEMPH ENGINEERING



Development



DEVELOPMENT GOALS – FIVE PINES COMMUNITY

- **Proposed development will not exceed 350 single family homes and 20 multi-family units on 145.72 acres.**
- **Proposed clubhouse, pool, outdoor sports facilities, and walking trails**
- **A community focused neighborhood**

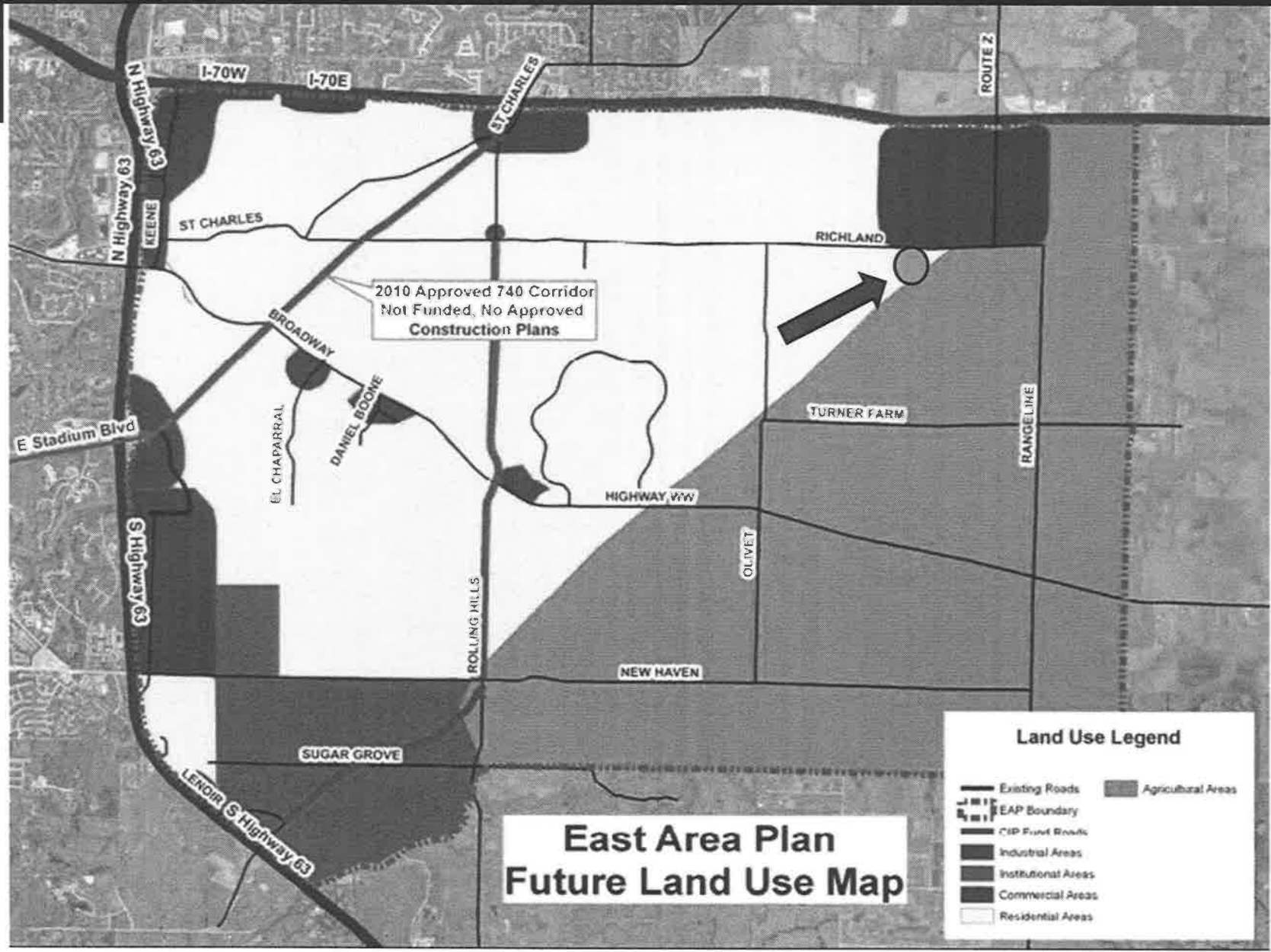


N. SUNSHINE DR.

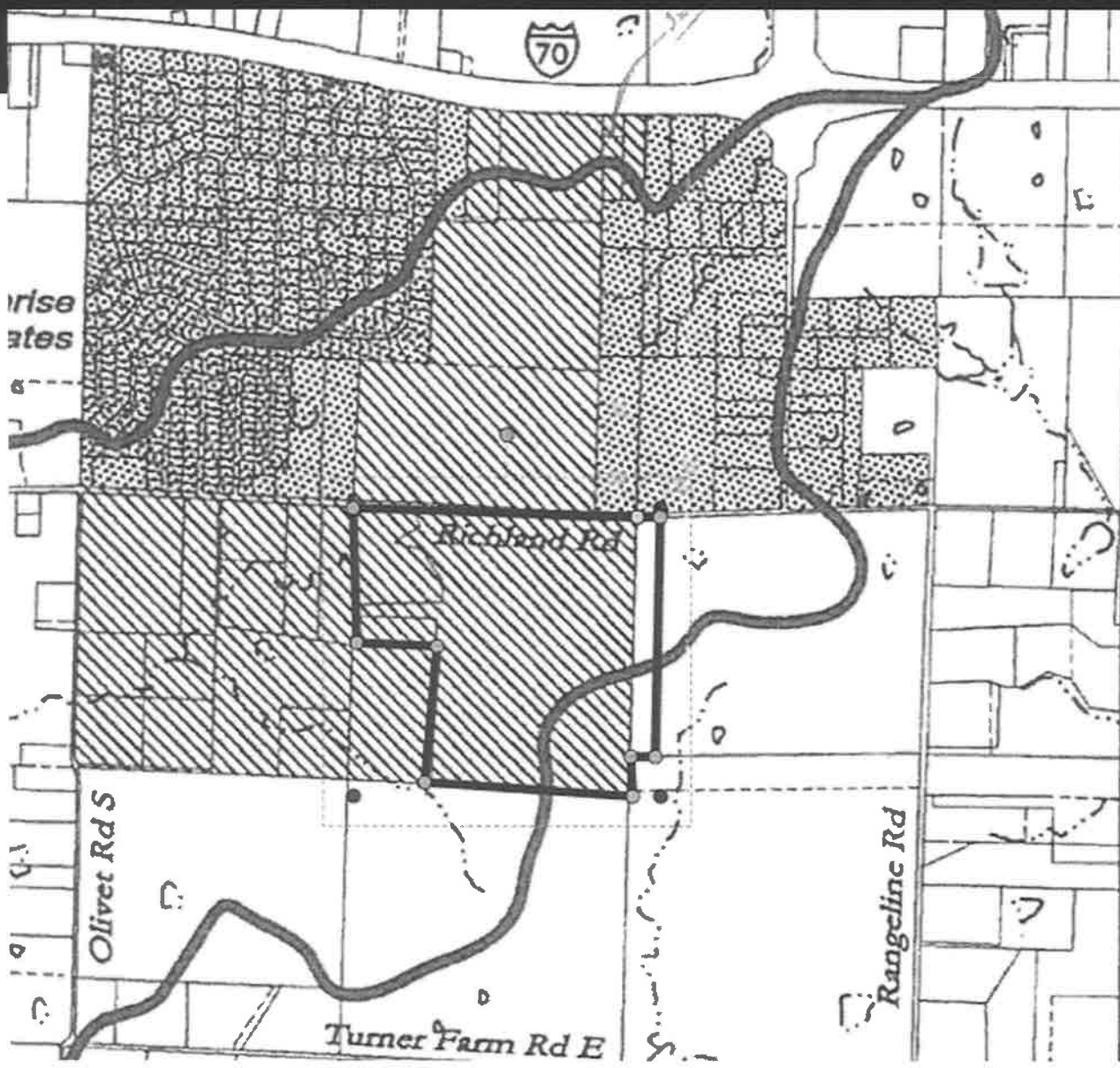
N. TRADE WINDS PKWY

E. RICHLAND RD.

N. RANGELINE RD.

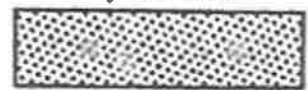


East Area Plan Future Land Use Map



LEGEND

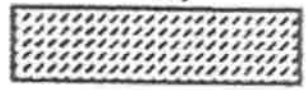
Existing BCRSD Customers -
No Annexation or Development to
City Standards



New BCRSD Customers -
Annex and Develop to City
Standards



Existing BCRSD
Customers Transferring
to City

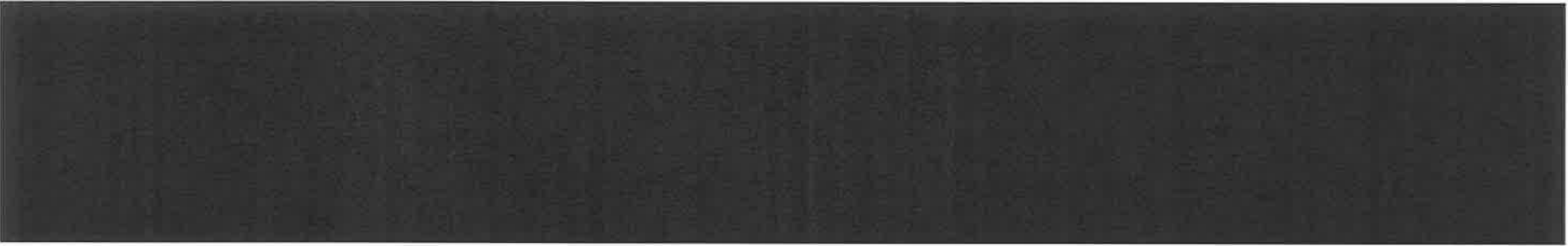



◆ End of Phase 1

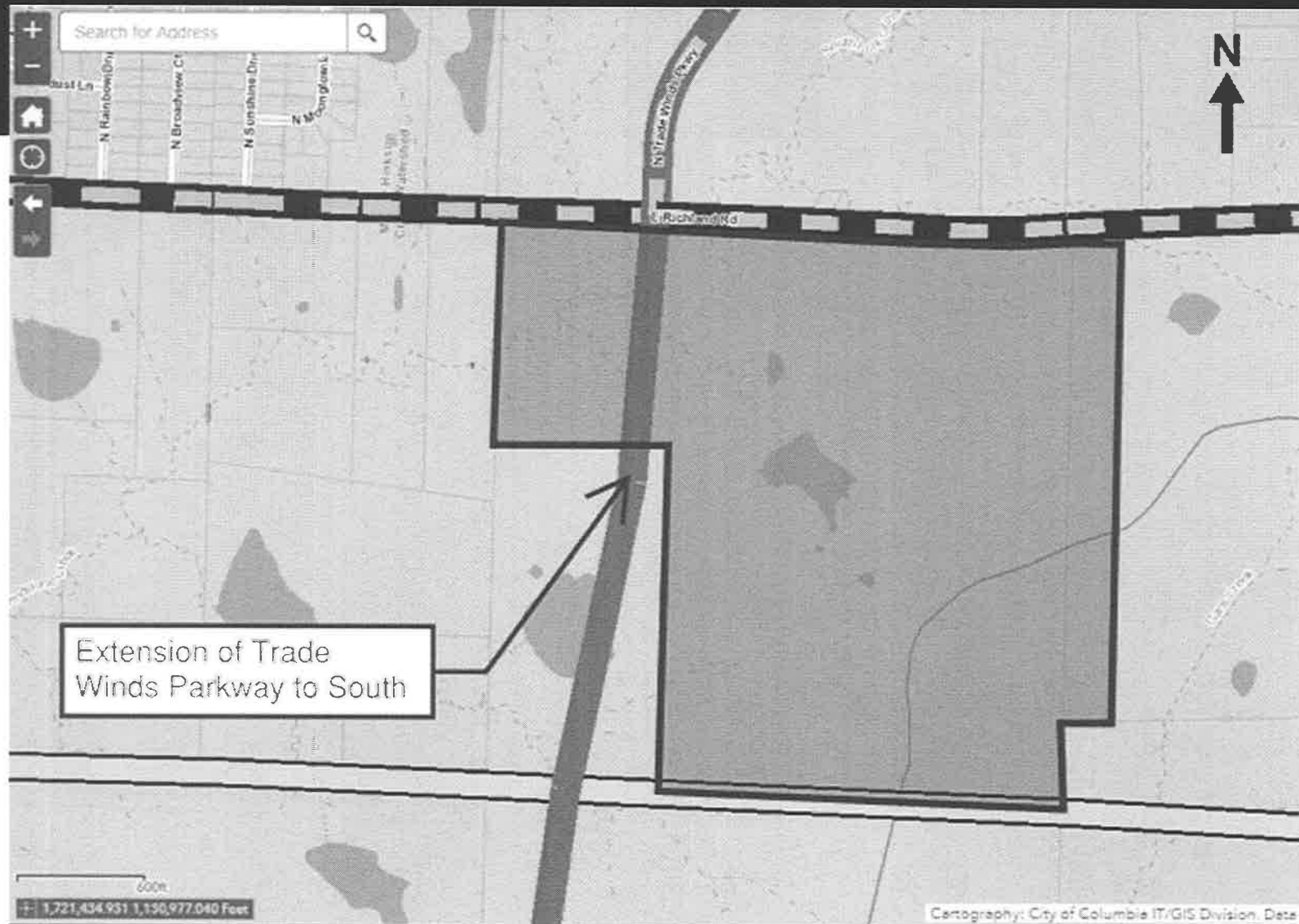
◆◆ End of Phase 2

Watershed



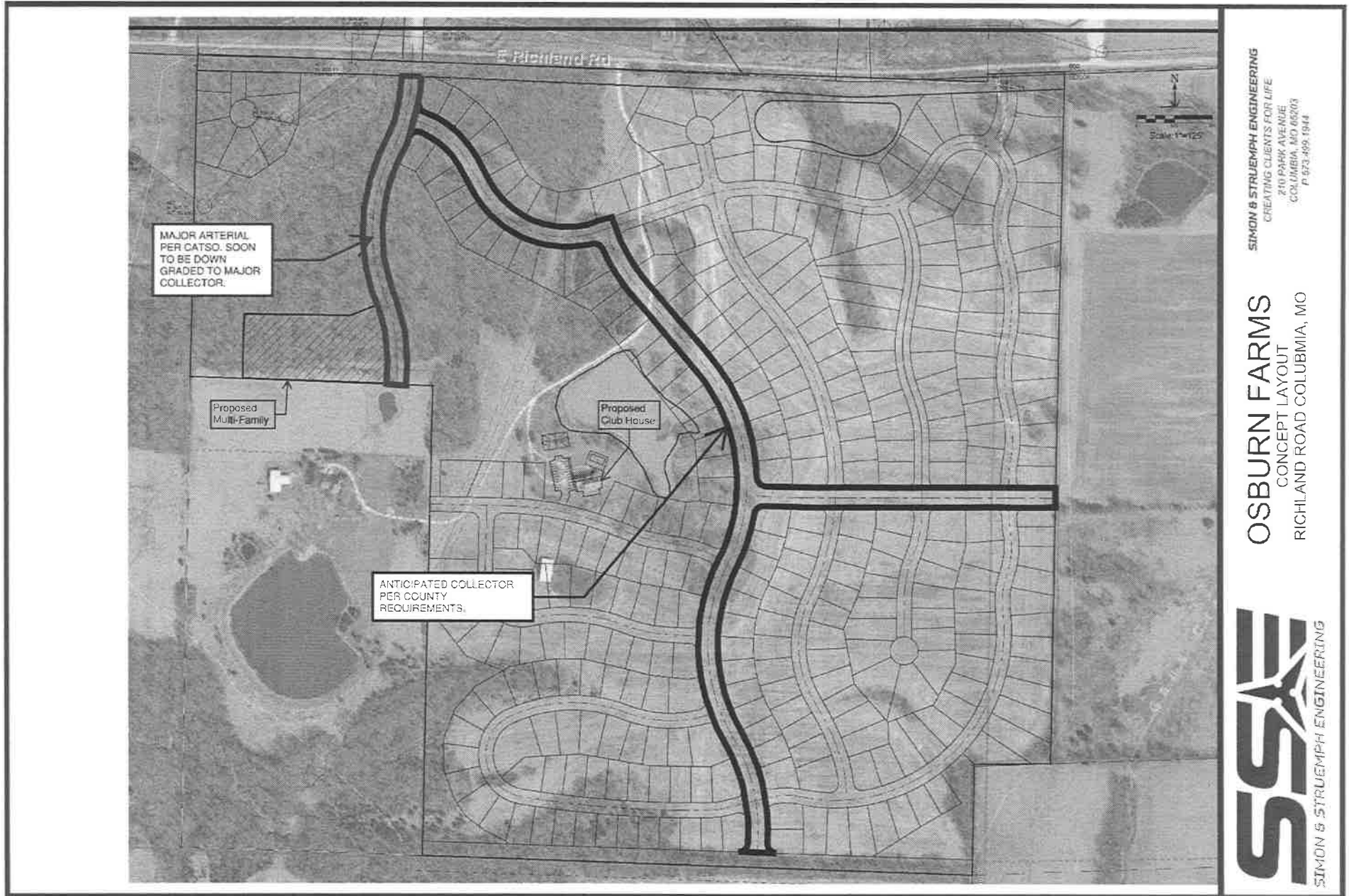
- 
- **The Boone County Regional Sewer District (BCRSD) invested over 900k installing gravity sewer to Tradewinds area.**
 - **Their investment/cost of project is not recouped until they acquire connections onto their infrastructure.**
 - **This proposed development would be beneficial to allow BCRSD to recoup money invested and allow for future investments.**
 - **New customers for BCRSD helps hold rates down for everyone, new and existing customers.**
 - **This development is earmarked for BCRSD customers per the Grindstone watershed agreement with the city.**

- 
- **Met with neighbors in April of 2021 to discuss proposed development.**
 - **Reviewed conceptual layout**
 - **Took comments and questions from neighbors**
 - **Stormwater**
 - **Traffic**
 - **Relocating Tradewinds Extension out of Forested area**
 - **Moving Multi-Family interior to development away from property line**
 - **Approval by City of Columbia and BCRSD for sanitary sewer connection December 2021**
 - **Relocated Tradewinds alignment (CATSO roadway) in early 2022**



- Required extension of roadway when property is developed

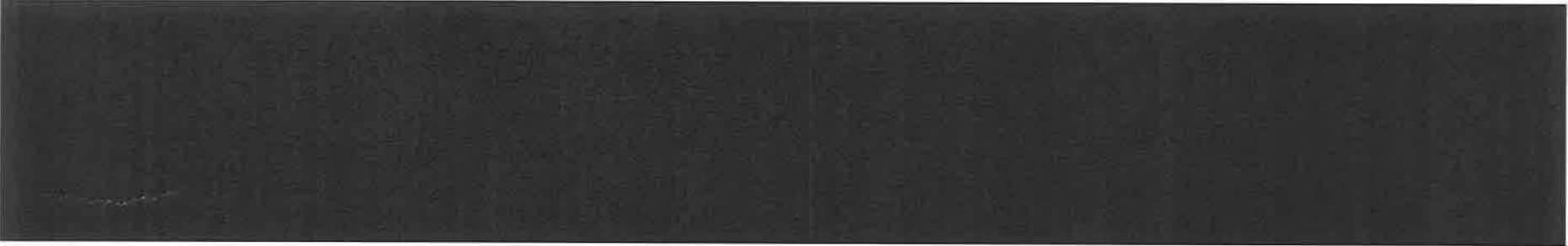
■ CONCEPT FROM NEIGHBORHOOD INPUT MEETING-APRIL 2021



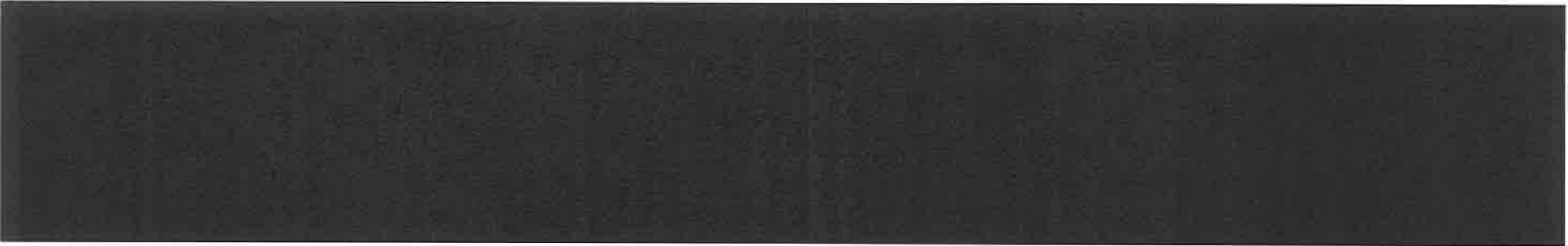
SSSE
SIMON & STRUENMPH ENGINEERING

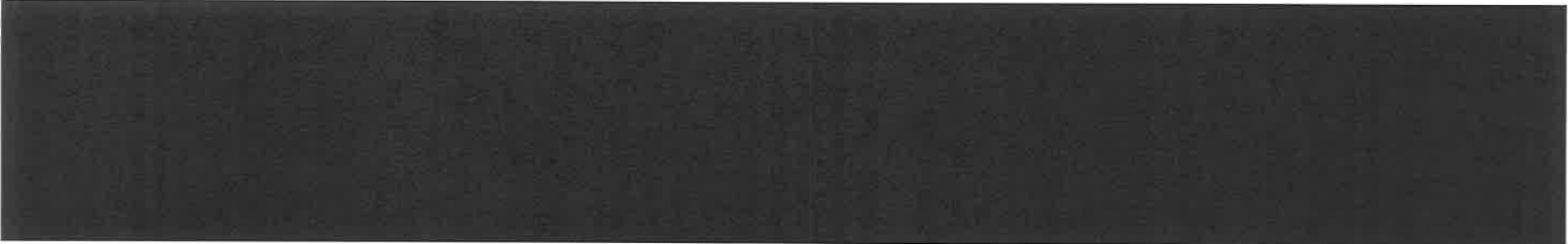
OSBURN FARMS
CONCEPT LAYOUT
RICHLAND ROAD COLUMBIA, MO

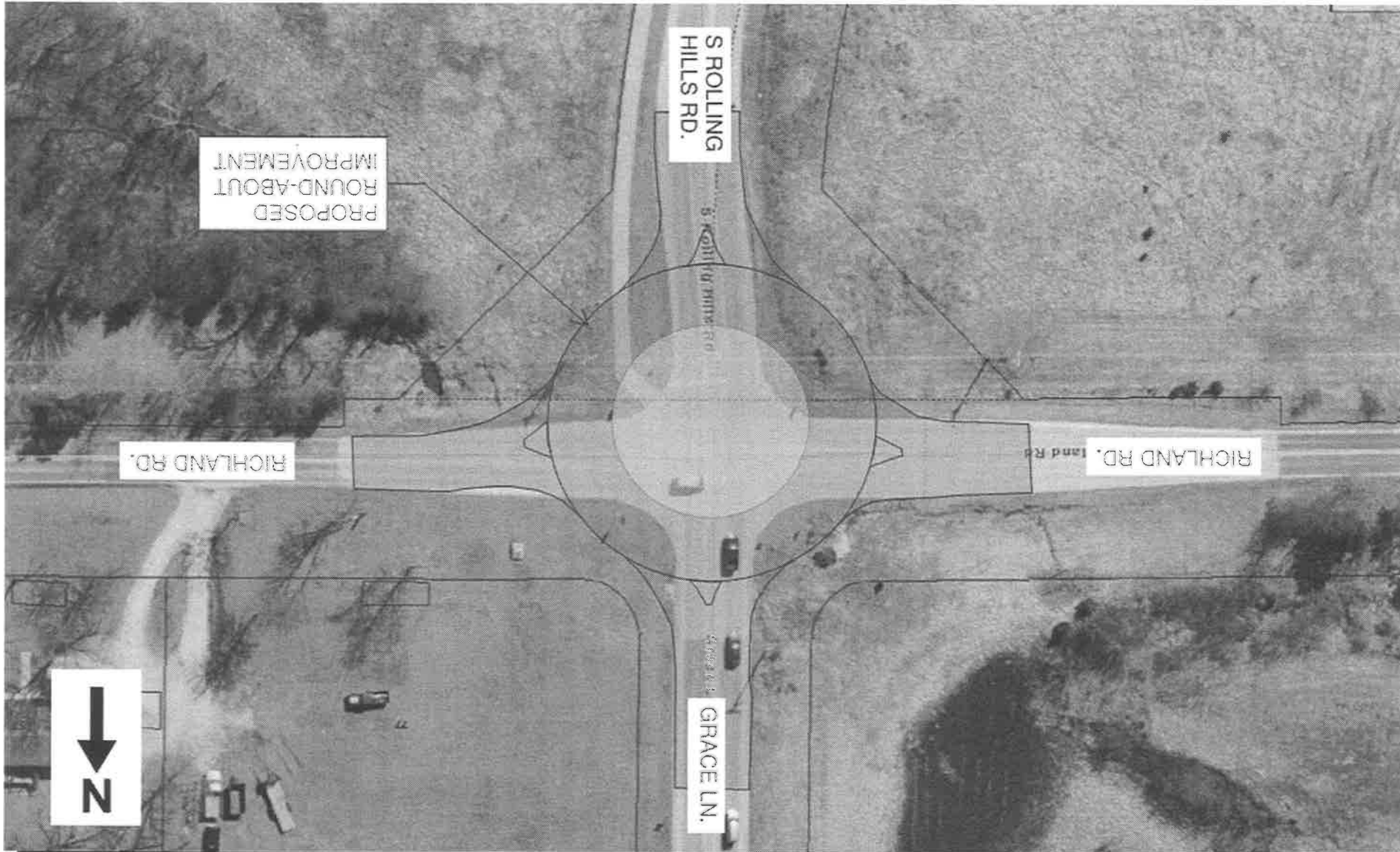
SIMON & STRUENMPH ENGINEERING
CREATING CLIENTS FOR LIFE
210 PARK AVENUE
COLUMBIA, MO 65203
P. 673.499.1944

- 
- **We worked with CATSO to get a formal revision to relocate the extension of Tradewinds Parkway**
 - **Turned road east to remove the stub street to neighbor's house**
 - **Moved street out of the forested area to increase size of timbered area**
 - **We brought the multi-family area internal to the development and away from neighboring property lines**
 - **We increased common ground area throughout development. Provided additional room for stormwater detention to meet county requirements.**
 - **Worked with city and county to develop scope and required analysis and completed an in-depth traffic study**



- 
- **Commissioners requested we resolve access easement and utility easement concerns with Mr. Monson to the west prior to moving request forward.**
 - **We have resolved this issue and currently have reached terms with Mr. Monson and have the property under contract to purchase.**
 - **Neighbors in the general vicinity brought up existing flooding issues and concerns of flooding impact from new development.**
 - **We are willing to meet the Boone County's Flood Control Criteria standard for the development. This is an additional requirement for flood protection that will provide additional protection downstream.**
 - **General concerns about traffic impacts to Richland rd. Corridor.**
 - **Worked with Boone County Engineering to develop an intersection to directionalize traffic and make improvements for future Richland rd. corridor.**

- 
- **Traffic Study assumes built out conditions of The Vineyards, The Brooks Phase 1 and 2, Crescent Ridge, Old Hawthorne Expansion, Silver lakes as well as the proposed Five Pines Development**
 - **Identified operational issues at intersection of Grace Lane and Richland Rd.**
 - **Required to contribute \$188,097.20 for a future roundabout.**
 - **Assuming worst conditions at Peak traffic demand existing intersections are found to operate at level of service A or B.**
 - **Ideal condition minimal delays**
 - **Traffic Improvements to offset impacts.**
 - **Reconstruction of Tradewinds and Richland Road intersection.**
 - **Relocation of a Stream**
 - **Widening of street for future improvements**
 - **Additional lanes to promote traffic direction**

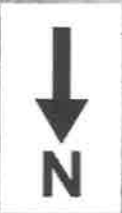


S ROLLING HILLS RD.

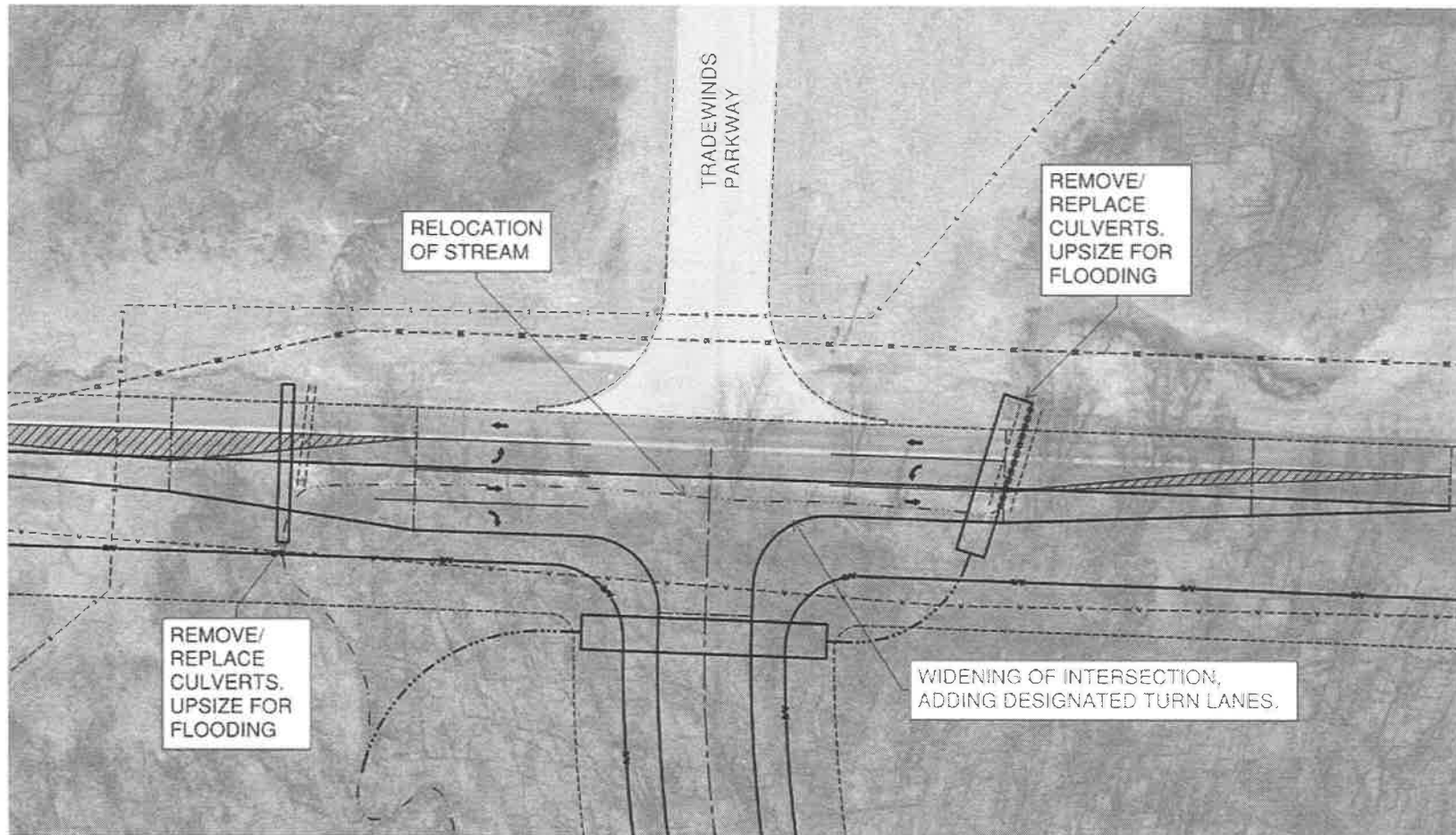
PROPOSED ROUND-ABOUT IMPROVEMENT

RICHLAND RD.

RICHLAND RD.



GRACE LN.



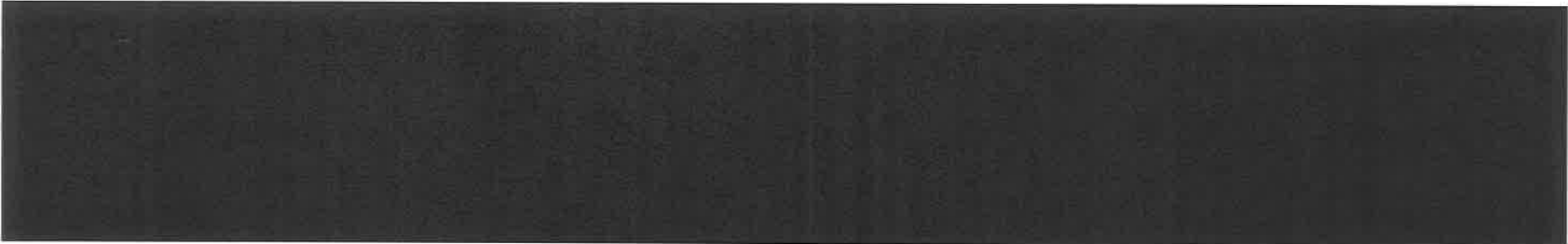


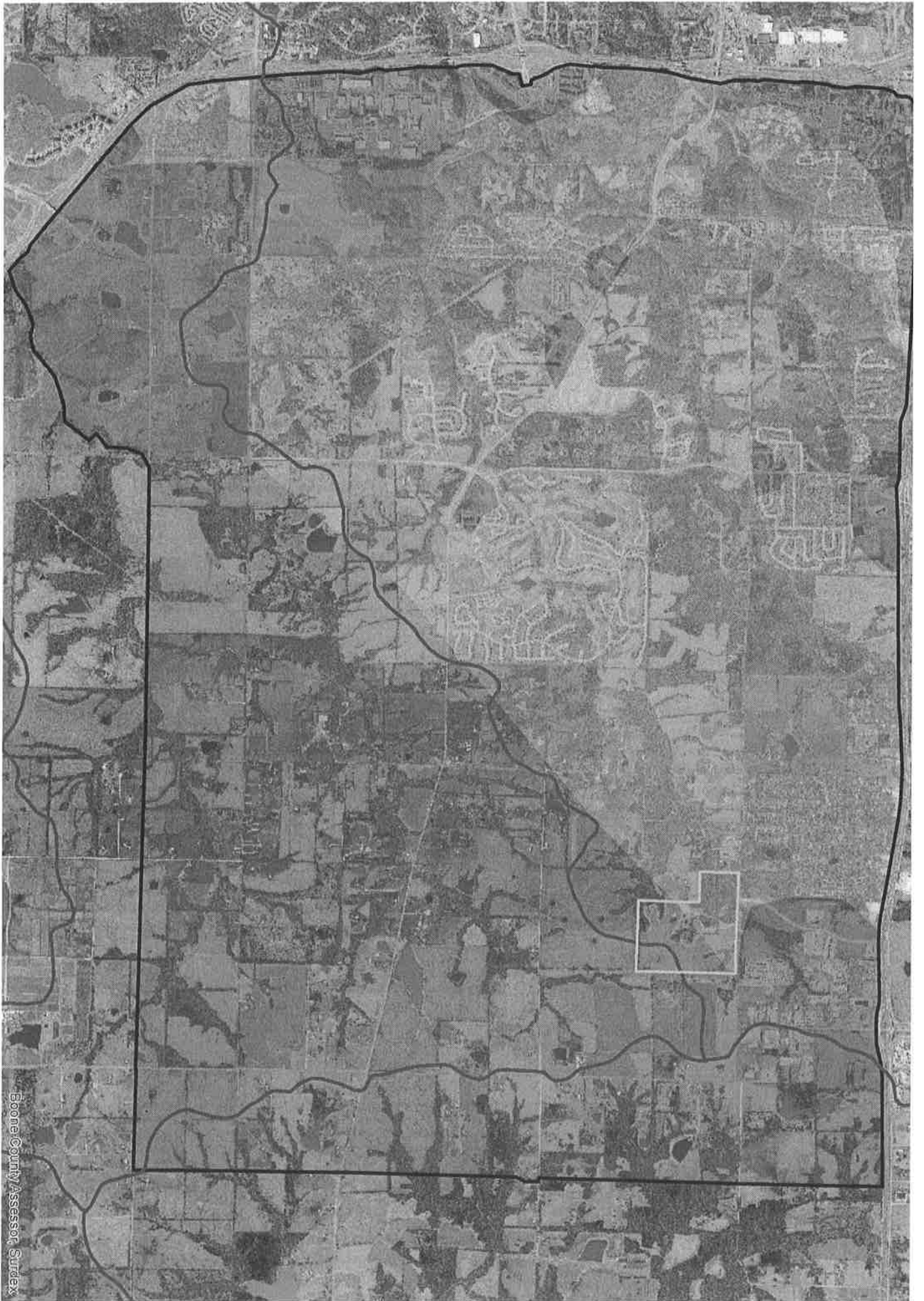
We have been working with Boone County Planning and Engineering staff to identify traffic impact solutions.

Boone County Planning and Engineering support this proposed Traffic Remediation impact.

- **The proposed improvements at the Richland Rd and Tradewinds Parkway will directly affect traffic patterns and the modifications will allow for future improvements of Richland Rd.**
 - **Upsize culverts under Richland Rd.**
 - **Relocation of stream per Corps of Engineers requirements**
 - **Widen intersection for future expansion of Richland Rd.**
 - **The additional turn lanes allow for improved movement at intersection**
 - **Promotes traffic to use Tradewinds to I-70 vs Richland Rd to west**

- **Recently Boone County and City of Columbia have started to review the Richland Rd. corridor for improvements.**

- 
- Incorporated neighbors' input into redesign of layout and met with agencies to get approval of relocation of Tradewinds Parkway.
 - We have addressed the private utility and driveway easement with the neighbor to the west.
 - The BCRSD would recoup their investment for the gravity sewer expansion up to Tradewinds. This development would help service debt and expand customer base.
 - Provided in-depth traffic analysis and provided remediation for traffic impacts.
 - Future Roundabout at Grace and Richland
 - Tradewinds/Richland Rd Intersection improvements



TRADEWINDS/RICHLAND INTERSECTION

