

TERM OF COMMISSION: March Session of the January Adjourned Term

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

PRESENT WERE: Presiding Commissioner Kip Kendrick
District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Resource Management Bill Florea
Director of Community Services Joanne Nelson
Deputy County Clerk Jodi Vanskike

Conference Call Information:

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

The meeting was called to order at 7:00pm and roll call was taken.

P & Z

1. Consent Agenda
 - A. Cedar Heights Estates Plat 1A. A-2. S26-T49N-R12W. High Tide Design and Build, LLC, owner. David Butcher, surveyor.
 - B. Addisons Ranch Subdivision. S9-T48-R14W. A-2. Phyllis Powell, owner. Derek Forbis, surveyor.
 - C. Amsdel Acres Subdivision Plat 1. S20-T51N-R13W. A-2. Amsdel Investments LLC, owner. Steven Proctor, surveyor.
 - D. Gilbert's Corner Subdivision. S28-T51N-R13W. A-2. Lynn & Mary Gilbert, owners. Steven Proctor, surveyor.
 - E. Calcote Acres Revised Plat. S26-T50N-R13W. A-2. Ralph B. & Tammy L. Calcote, owner. Donald Bormann, surveyor.
 - F. The Glades Plat 1. S26-T48N-R14W. A-2. Hemme Construction LLC, owner. David Butcher, surveyor.

Director of Resource Management Bill Florea read the following staff reports:

A. Cedar Heights Estates Plat 1A. A-2. S26-T49N-R12W. High Tide Design and Build, LLC, owner. David Butcher, surveyor.

The property is located off State Highway PP, north of the intersection with E. Mary Ann Circle. The proposed subdivision is a replat of Cedar Height Estates Plat 1 that was approved under County Commission Order 457-2021. The proposed replat will replat Lot 7 of Cedar Height Estates and the neighboring 11.40 acres into a 20:01-acre lot. The property is zoned Agriculture A-2 and is surrounded by A-2 zoning. All zoning appears to be original 1973 zoning.

The tract will be served by a private access easement to State Highway PP, a publicly dedicated publicly maintained roadway.

The property is within the Columbia Water service area. Boone Electric provides electric service for the area. The Boone County Fire Protection District provides fire protection for the area. Station 16 is about 4 miles away.

An onsite wastewater lagoon is currently under construction and will serve the home that is being built on the lot.

The property scored 45 points on the rating system.

Staff recommended approval of the plat.

B. Addisons Ranch Subdivision. S9-T48-R14W. A-2. Phyllis Powell, owner. Derek Forbis, surveyor.

The property is located on State Route O, northeast of the intersection of State Route O and Sinking Creek Road. The parent parcel is 19.48 acres in size and zoned Agriculture (A-2). The surrounding properties are zoned as follows:

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

This is all original 1973 zoning. This proposal divides the parent parcel into a 5-acre platted lot and a 14.41-acre administrative survey lot. The administrative survey will be recorded concurrently with the plat. The platted lot includes an existing house and lagoon.

The proposed lot has direct access to State Route O, a publicly dedicated, publicly maintained right-of-way. The applicant has submitted a request to waive the traffic study requirement.

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

An existing on-site wastewater system serves the house. The applicant has submitted a request to waive the wastewater cost-benefit analysis requirement.

This property is located in a Missouri Department of Natural Resources Sinkhole area. As such, it is classified as an environmentally sensitive area. That classification may require increased attention to land disturbance and stormwater permitting requirements.

The property scored 27 points on the rating system.

Staff recommended approval of the plat and granting the requested waivers.

C. Amsdel Acres Subdivision Plat 1. S20-T51N-R13W. A-2. Amsdel Investments LLC, owner. Steven Proctor, surveyor.

The property is located at the southeastern corner of the intersection of Rock Hollow Road and Krause Road, approximately 6 miles northeast of Harrisburg. The parent parcel was created by administrative survey, and this proposal splits the survey tract into two lots, one at 5.01 acres, the other at 4.83 acres. The property is currently vacant. The property is zoned Agriculture (A-2); the surrounding zoning is as follows:

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

This is all original 1973 zoning. There have been no other land use requests on this property.

Lot 7 (A-1) has access to both Rock Hollow Road and Krause Road. Lot 7 (A-2) has access to Rock Hollow Road. Rock Hollow Road and Krause Road are publicly dedicated, publicly maintained rights-of-way. The applicant has submitted a request to waive the traffic study requirement.

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

Any development requiring wastewater will apply to Boone County Resource Management for an on-site wastewater system construction permit. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 16 points on the rating system.

Staff recommended approval of the plat and granting the requested waivers.

D. Gilbert's Corner Subdivision. S28-T51N-R13W. A-2. Lynn & Mary Gilbert, owners. Steven Proctor, surveyor.

The property is located at the intersection of State Highway NN and N. Barber Road. The proposed subdivision will create a 5.23-acre lot with a single-family home, detached garage, and wastewater lagoon. The property is zoned A-2 agriculture and is surrounded by A-2 zoning on all sides. The A-2 zoning is original 1973 zoning.

The existing home has direct access to west State Route NN, a publicly dedicated, publicly maintained roadway. The applicants have not submitted a request to waive the traffic study requirement. However, a one-lot minor plat with an existing single-family home will have minimal impact on existing roadway infrastructure. A waiver of the traffic study is appropriate for this request.

Public Water Supply District #10 provides water service in the area. Boone Electric provides power service. The Boone County Fire Protection District provides fire protection for the area. The nearest station, Station 4, is 7 miles away.

An onsite wastewater lagoon is present on the proposed lot to serve the single-family home. The applicants have not submitted a request to waive the sewer cost benefit analysis. However, an onsite wastewater lagoon is already in use and future development of the area will likely require onsite wastewater systems. A waiver of the sewer cost benefit analysis is appropriate for this request.

The property scored 38 points on the rating system.

Staff recommended approval of the plat and granting of waivers.

E. Calcote Acres Revised Plat. S26-T50N-R13W. A-2. Ralph B. & Tammy L. Calcote, owner. Donald Bormann, surveyor.

The property is located off of a private drive west of Old Hwy 63. The private drive intersects with Old Hwy 63 approximately one mile north of the intersection of Dripping Springs Rd and Old Hwy 63. The property was platted into two lots and recorded in January of 2008 as Calcote Acres. The parent parcel is 15.06 acres in size with a detached garage present on Lot 1. The property is zoned Agriculture (A-2) and is surrounded by A-2 zoning. This is all original 1973 zoning.

An adverse possession claim resulted in a judgment recorded in Book 4926, Page 79 of the records of Boone County Recorder of Deeds. The judgment altered the underlying ownership of the land contained in the original plat. Replatting in accordance with the Subdivision Regulations is required for the lots to regain their legal lot status. The graphic has an incorrect recording book reference for the judgement that appears to be a number transposition that says "BK 4296" when it is really BK 4926; this needs to be corrected prior to recording the plat.

The proposed plat replats the original two lots into slightly smaller lots than the original plat but otherwise is substantially the same.

Both proposed lots are served by the same private drive as the original plat. The applicant has requested a waiver to the traffic study requirement and staff concurs with the granting of the waiver.

The property is in Consolidated Public Water Service District #1, the Boone Electric Cooperative service area, and the Boone County Fire Protection District, with the nearest station being Station 7, which is 1.8 miles away.

There is no central wastewater system near the property nor is it likely that installation of one would be reasonable to require for these two lots. The applicant has submitted a request to waive the wastewater cost-benefit analysis requirement. Staff concurs with the granting of the waiver.

The property scored 18 points on the rating system.

Staff recommended approval of the plat and granting the requested waivers subject to the following condition:

1. The incorrect deed reference on the western side of the graphic depiction needs to be corrected prior to the plat going to County Commission. (Note: That reference was corrected by the surveyor 3/23/2023).

F. The Glades Plat 1. S26-T48N-R14W. A-2. Hemme Construction LLC, owner. David Butcher, surveyor.

The property is located along Route O, about one-half mile north from the boundary of Huntsdale. The proposal seeks to create three lots via a minor subdivision plat. A corresponding administrative survey will create a separate tract to the south of Lot 3. The property is zoned Agriculture A-2 and is surrounded by A-2 zoning on all sides. The zoning appears to be original 1973 zoning.

All three lots will have direct access onto Route O, a publicly dedicated, publicly maintained roadway. The applicants have not submitted a request for a waiver of the traffic study requirement. However, the creation of three buildable lots should have minimal impact on existing transportation infrastructure. Granting of a waiver to the traffic study requirement is appropriate for this case.

Consolidated Water provides water service in this area. Boone Electric Cooperative provides power in this area. The Boone County Fire Protection District provides fire protection. The nearest station, Station 14, is located 7 miles away.

The applicant proposes use of onsite wastewater lagoons for three subdivision lots. The applicants have not submitted a request for a waiver of the sewer cost-benefit analysis for this plat. However, the creation of three buildable lots with proposed onsite systems would likely not be cost effective for building a central sewer. Granting of a waiver to the sewer cost benefit analysis is appropriate for this case.

The property scored 58 points on the rating system.

Staff recommended approval of the plat and granting of the waivers.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby receive and accept the plats listed in the attached consent agenda (Attachment A) and authorize the Clerk to insert the associated staff reports into the minutes of this meeting.

Attachment:

- A. Cedar Heights Estates Plat 1A. A-2. S26-T49N-R12W. High Tide Design and Build, LLC, owner. David Butcher, surveyor.
- B. Addisons Ranch Subdivision. S9-T48-R14W. A-2. Phyllis Powell, owner. Derek Forbis, surveyor.
- C. Amsdel Acres Subdivision Plat 1. S20-T51N-R13W. A-2. Amsdel Investments LLC, owner. Steven Proctor, surveyor.
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- F. The Glades Plat 1. S26-T48N-R14W. A-2. Hemme Construction LLC, owner. David Butcher, surveyor.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #134-2023**

2. **Request by On Point Construction for a Conditional Use Permit to Allow a Duplex to be Constructed in the Single-Family Residential (R-S) Zoning District Located at 2491 S. Casa Circle Drive, 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 at its March 16, 2023, meeting and voted to recommend approval 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 applicant, On Point Construction, has requested conditional use permits on Lot 35 and Lot 36 of Scottsdale Subdivision. The lots share a common property line. Both lots will be addressed by this report, but separate motions will be required for each lot.

The lots are located southwest of and adjacent to the intersection of Mesa Drive and Casa Circle in Scottsdale Subdivision. Lot 35 has frontage on Casa Circle, and Lot 36 has frontage on Mesa Drive. Both lots are vacant. Approximately two-thirds of Lot 36 and 100 percent of Lot 35 are within the 100-year floodplain. Fill has been placed on the lots to elevate them above the base flood elevation. The zoning is Single-Family Residential (R-S). Adjacent zoning is as follows:

- Northwest, west and south is R-S.
- East and northeast is zoned Moderate Density Residential (R-M).

Conditional Use Permits, to allow construction of duplexes, were issued for these lots in December of 2021. Those permits have expired. The current request is identical in that the owner is requesting conditional use permits to build a duplex on each lot.

The following criteria are the standards for approval of a conditional use permit, followed by staff analysis of how this application may meet those standards. Staff analysis of the request is based upon the application and public comments received following notification of the surrounding property owners.

(a) The establishment, maintenance, or operation of a conditional use permit will not be detrimental to or endanger the public health, safety, comfort, or general welfare.

If operated in conformance with existing county and state regulations, the use should comply with this criterion.

(b) The conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

All the structures in Scottsdale are fourplexes or duplexes. The lots adjoin R-S zoned lots to the west that are developed with single-family dwellings. There is a creek with an incised channel and forested corridor that provides a physical and visual buffer. The addition of two more duplexes will not be injurious to the use and enjoyment of the existing homes in the immediate vicinity.

(c) The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood.

Due to the existing character of the area and the buffering provided by the creek, the conditional use permits will not substantially diminish or impair property values of the neighborhood.

(d) All necessary facilities will be available, including, but not limited to, utilities, roads, road access, and drainage.

All utilities are available to the lots. Sewer service is provided by the City of Columbia. In order to access the sewer, the property has been included in an annexation agreement with the City of Columbia.

Mesa Drive and Casa circle are built in publicly dedicated rights of way. However, neither road is publicly maintained. This is not a desirable condition, but private maintenance appears to be effective. Both streets are hard surfaced. Ingress and egress seem to be adequate.

(e) The establishment of a conditional use permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

The proposed duplexes match the character of existing structures in the neighborhood. There are nine vacant lots remaining in the subdivision: two are zoned R-S, two are zoned R-M, and five are in the city limits of Columbia and owned by the City of Columbia. It is anticipated that future construction on lots in Scottsdale will match the existing two and multifamily character.

(f) The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.

The conditional use permits will not have a detrimental impact on traffic flow or circulation.

(g) The conditional use permit shall in all other respects conform to the applicable regulations of the zoning district in which it is located. The County Commission shall find that there is a public necessity for the conditional use permit.

The proposal conforms to other applicable regulations of the R-S zoning district.

Zoning Analysis: The application appears to meet the requirements for a conditional use permit. The only questionable area is access. Access is via privately maintained roads. Normally, this would not be a preferred method of access for construction of new duplexes. However, the entire subdivision is accessed by privately maintained roads and has been for several decades.

Staff recommends approval of each request.

Commissioner Kendrick opened/closed the public hearing.

Commissioner Kendrick 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.

3. Request by On Point Construction for a conditional use permit to allow a duplex to be constructed in the Single-Family Residential (R-S) zoning district located at 4312 W Mesa Drive, Columbia. (Open Public Hearing)

Please refer to the report under Item 2.

Commissioner Kendrick opened/closed the public hearing.

Commissioner Kendrick 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.

4. Request by Joseph and Kelly Eagle to rezone to Planned Agriculture-Residential (A-RP) and to approve a Revised Review Plan on 4.70 acres located at 6910 S High Point Ln, 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 at its March 16, 2023, meeting and voted to recommend approval on a unanimous vote.

The property is located at the southeastern corner of the intersection of State Route K and High Pointe Lane. It is 4.7 acres in size. A Final Plan and Planned Agriculture-Residential (A-RP) rezoning was approved in late 2022 (County Commission Order 602-2022). The surrounding zoning is as follows:

- Agriculture (A-2) zoning to the south.
- Planned Two Family Residential (R-DP) New Town Subdivision to the east.
- Planned Single Family Residential (R-SP) Old Plank Village to the north across State Route K.
- City of Columbia One-Family Dwelling (R-1) zoning to the west across High Point Lane

The previously approved Final Plan for the property utilized the density of the parent zoning district to allow for the construction of an additional dwelling. The current proposal to the plan adds a 40' by 60' accessory structure that will be used for equipment storage. The proposed accessory structure will be placed between the existing home and the proposed house. The Zoning Ordinance prohibits accessory structures from being in front of primary structures on lots less than five acres. The Revised Review Plan indicates that the accessory structure will not be closer to the front property line along Route K than the existing home. The accessory structure will be in front of the second dwelling. This inconsistency can be addressed by providing wayfinding signage as discussed later in this report.

The Boone County Master Plan designates 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 within Consolidated Public Water Supply District. Boone Electric provides power service to the existing home. The Boone County Regional Sewer District provides sanitary sewer for the existing home and future development.

Transportation: The property has driveway access onto High Point Lane. An internal gravel driveway will provide connection to the accessory structure and proposed home.

Public Safety: The Boone County Fire Protection District provides fire protection for the property. With the addition of a large accessory structure between the existing home and the proposed home, public safety services may confuse the accessory structure for the second dwelling during an initial response to an emergency. Wayfinding signage will be needed to ensure the Fire District can respond to an emergency at the property without confusion.

Zoning Analysis: The addition of the accessory structure to the revised review plan will match the residential use of the surrounding area and should have minimum impact to traffic and utilities. Provision of wayfinding signage within the development should be sufficient to direct public safety resources in the event of an emergency.

Staff notified 132 property owners of the request. The proposal scored 70 points on the point rating system.

Staff recommended approval of the review plan and rezoning request with the following condition:

1. Wayfinding signage shall be installed and maintained near the driveway entrance with High Point Lane and the interior of the development, near the proposed accessory structure, indicating the location of the various structures on the property. The signage must be of a type and location approved by the Director of Resource Management.

Commissioner Kendrick opened/closed the public hearing.

Commissioner Kendrick 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.

5. **Request by Carl and Sandra Freiling to rezone from Agriculture 1 (A-1) to Planned Agriculture 1 (A-1P) and to approve a Review Plan on 30 acres located at 17300 S Burnett School Rd, Ashland. (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 at its March 16, 2023, meeting and voted to recommend approval on a unanimous vote.

The property is located near the southern end of Burnett School Road, approximately 4.5 miles to the east of Ashland. It is adjacent to Cedar Creek to the east. The parent parcel is 73 acres in size, and zoned A-1 (Agriculture). All the surrounding property is zoned as follows:

- To the north A-1 & Callaway County.
- To the south A-1 & Callaway County.
- To the east Callaway County.
- To the west A-1.
- There are currently two houses, two garages, and two barns on the property. This proposal is designed to create one lot smaller than 10 acres and two tracts at 10 acres or larger. The smaller lot is proposed at 5 acres and holds one house, one garage, and one barn. The 10-acre tract holds the other house, garage, and barn. The 15-acre tract is currently vacant. The proposed Planned Agriculture 1 (A-1P) rezoning allows for the use of a density requirement rather than a minimum lot size requirement to control the intensity of development. The property being rezoned is 30 acres in size. That allows for 1 unit per 10 acres. That is proposed here: one lot (5 acres) and two tracts (10 and 15 acres). The 1 unit per 10-acre density available to the A-1P is met in this proposal.

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

Utilities: The property is in Consolidated Public Water Supply District #1; the District has no facilities in the vicinity. Callaway Electric Cooperative provides power. Wastewater service is provided by on-site systems for each of the existing houses.

Transportation: All three of the new lots have direct road frontage on to Burnett School Road. All of Burnett School Road in this area is in a federally regulated floodplain. Any new access points or changes to existing points of access will require a floodplain development permit and elevation certificate as part of their permitting process.

Public Safety: The property is in the Southern Boone County Fire Protection District.

Zoning Analysis: This proposal intends to make use of the A-1P density of one dwelling unit per 10 acres in the proposed plan. Noting the limited infrastructure available to this site, this is an appropriate use of the planned rezoning process. This proposal utilizes the existing infrastructure at the property and generates no significant impact on the availability of services to the site.

The property scored -5 points on the rating system.

Staff recommended approval of the rezoning request and review plan.

Commissioner Kendrick opened/closed the public hearing.

Commissioner Kendrick 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.

6. Request by William & Lisa Nichols and Jose Hernandez-Sanchez & Megan N. Hernandez to rezone from Agriculture 1 (A-1) to Planned Agriculture 1 (A-1P) and to approve a Review Plan on Three Tracts Totaling 31.63 Located at 13331 & 13575 S. Crump Lane, Ashland. (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 at its March 16, 2023, meeting and voted to recommend approval on a unanimous vote.

The property is located on the west side of Crump Ln. approximately 1800 feet north of the Ashland city limits, which is also the intersection of Clellie Harmon Rd and Crump Ln. The property is 31.63-acres in size and zoned Agriculture (A-1) as is all the surrounding property. The property currently consists of three 10-acre or larger tracts created by administrative survey in June of 2019. Tracts 1 and 2 of this survey each have a single single-family dwelling, wastewater lagoon, and some accessory structures. Tract 3 is vacant. The Master Plan describes this area as being suitable for agricultural and rural residential land use.

The request is to rezone the property to Planned Agriculture 1 (A-1P). The purpose is to allow reconfiguration of the lots within the development to allow for one of them, proposed Lot 2A, to be smaller than the 10-acre lot size minimum of the A-1 zoning district. This is possible because planned zoning substitutes a density requirement for the minimum lot size.

Under the existing A-1, the 31.63-acres allows, at most, three lots of 10-acres or larger resulting in three dwelling units, one on each lot. Under the A-1P the 31.63-acres is still limited to the maximum of three dwelling units, but the property line of proposed lot 2A can generally follow a creek that forms a more natural boundary for the lot. The resulting lot 2A is not a full ten acres. Because the density of the overall request is still only three dwelling units on 31.63 acres, the proposal complies with the density of the underlying A-1 zoning.

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

Utilities: The subject property is in the Consolidated Public Water District No.1 which provides water service to the existing two homes. Wastewater is provided by individual on-site systems. The property is in the Boone Electric Cooperative service area.

Transportation: The property has access to Crump Lane, a publicly maintained roadway. Lot 3 is served by a private driveway easement.

Public Safety: The property is in the Southern Boone County Fire Protection District, with the station on Henry Clay Blvd being closest for service.

Zoning Analysis: By requesting a planned rezoning, the opportunity to configure one of the lots to the site features and drop the acreage below 10 acres is possible. The net effect in character of the area and density of population is unchanged from the current situation.

The property scored 55 points on the rating system.

Staff recommended approval of the rezoning request and review plan.

Commissioner Kendrick opened/closed the public hearing.

Commissioner Kendrick 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. Request by Boone County Regional Sewer District to rezone from Agriculture 2 (A-2) to Single-Family Residential (R-S) located at 7300 E. Backwoods Cove, 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 at its March 16, 2023 meeting and voted to recommend approval on a unanimous vote.

The property is in the southwest corner of Sun Valley Estates Subdivision south of Highway HH, approximately 2 miles east of Settlers Ridge and the intersection of Highway HH and State Route B. The Sun Valley Estates development was platted in 1970, prior to the development of the Boone County Subdivision Regulations. The property is 1.86 acres in size and zoned Agriculture (A-2). The surrounding zoning is as follows:

- North – Residential Single-Family North (R-S)
- South – A-2
- East – Residential Moderate Density (R-M)
- West – A-2

This is original 1973 zoning except the R-M zoning, which was rezoned in 1976.

The lot was created for the lagoon system serving Sun Valley Estates. The current lot is smaller than the minimum lot size for the A-2 District. As such, it is suitable for use by a utility as a utility lot but is not otherwise developable. The lagoon was replaced in 2014-2015 with a pump station.

This proposal will rezone approximately 1.02 acres in preparation for redevelopment into the lot to the east, owned by GHP Construction. The remaining 0.84 acres contains the pump station and supporting infrastructure for the Boone County Regional Sewer District. This rezoning will allow creation of a homogenously-zoned property that complies with the requirements of the zoning ordinance. The property scored 65 points on the point rating system. Staff notified 61 property owners about this request.

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

Utilities: The subject is in Public Water Supply District #4 and the Boone Electric Cooperative service area. Central sewer is provided by the Boone County Regional Sewer District.

Transportation: This portion of the lot will be consolidated with the adjacent property owned by GHP Construction to create a single lot with access to E Backwoods Cove, publicly maintained roadway.

Public Safety: The subject property is in the Boone County Fire Protection District. The nearest station is at 6550 Highway HH, less than a half mile from the property.

Zoning Analysis: This rezoning meets the standards of the sufficiency of resources test to a level consistent with the adjacent Sun Valley Estates development. The rezoning's purpose, to provide a homogenously zoned property for replatting into an adjacent lot, is appropriate.

Staff recommended approval of the request.

Commissioner Kendrick opened/closed the public hearing.

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

8. Request by GHP Construction Services to rezone from Moderate Density Residential (R-M) to Single-Family Residential (R-S) located at 7300 E Backwoods Cove, 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 at its March 16, 2023, meeting and voted to recommend approval on a unanimous vote.

The property is in the southwestern corner of Sun Valley Estates Subdivision south of Highway HH, approximately 2 miles east of Settlers Ridge and the intersection of Highway HH and State Route B. The Sun Valley Estates development was platted in 1970, prior to the development of the Boone County Subdivision Regulations.

The property is 0.43 acres in size and zoned Residential Moderate-Density (R-M). This property was part of a larger rezoning to R-M from Residential Single-Family (R-S) approved in March 1976. The surrounding zoning is as follows:

- North – (R-M)
- South – Agriculture (A-2)
- East – (R-M)
- West – Agriculture (A-2)

The R-M lots were part of the previously-mentioned rezoning from R-S. The A-2 is original 1973 zoning.

The subject lot is currently vacant. The Boone County Commission held a vacation/replat hearing on February 28, 2023, and granted permission to vacate and replat this lot.

This proposal will rezone this lot in preparation for redevelopment by adding a portion of the lot owned by the Boone County Regional Sewer District to the west. This rezoning will facilitate creation of a homogeneously-zoned lot that complies with the requirements of the zoning ordinance. The property scored 65 points on the rating system. Staff notified 61 property owners about this request.

The Boone County Master Plan has designated 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 Supply District #4 and the Boone Electric Cooperative service area. Central sewer is provided by the Boone County Regional Sewer District.

Transportation: This lot will be consolidated with a part of the adjacent property owned by the BCRSD to create a single lot with access to E Backwoods Cove, a publicly maintained road.

Public Safety: The subject property is in the Boone County Fire Protection District. The nearest station is at 6550 Highway HH, less than a half mile from the subject property.

Zoning Analysis: This rezoning meets the standards of the sufficiency of resources test to a level consistent with the adjacent Sun Valley Estates development. The rezoning's purpose, to provide a homogeneously zoned property for replatting into an adjacent lot, is appropriate.

Staff recommended approval of the request.

Commissioner Kendrick opened/closed the public hearing.

Commissioner Kendrick 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.

Community Services

9. First and Second Reading: 2023 Culture of Health Prize Application

Director of Community Services Joanne Nelson stated this prize is given to communities that provide community-led solutions that break down barriers caused by structural racism and other forms of discrimination. Director Nelson stated, on the application, they have highlighted the work they are doing through the Upward Mobility Project. Director Nelson stated it's for \$250,000.00, which has no match or requirement from the County. Director Nelson stated the money would be used in the community with Upward Mobility.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Boone County Community Services Department to apply for the Robert Wood Johnson Foundation's 2023 Culture of Health Prize.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #135-2023**

Resource Management

10. Second Reading: Release of Stormwater Security Agreement and Erosion and Sediment Control Cash Deposit for Crescent Ridge – First Read 03.23.23

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby release the Stormwater Security Agreement and Erosion and Sediment Control Cash Deposit in the amount of \$135,490.83. Said deposit was issued on behalf of JR2 Development LLC for stormwater improvements located at Crescent Ridge Subdivision, Columbia, Missouri. The work has been completed as required. The original Commission Order accepting the Cash Deposit is 540-2020.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #136-2023**

11. Second Reading: Trinity ET Plus Guardrail End Terminal Device Claim Submittal – First Read 03.23.23

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby designate Commissioner Janet Thompson as the Class Member's Representative for

Boone County regarding the Jackson County, Missouri v. Trinity Industries, Inc., and Trinity Highway Products, LLC settlement for the 4-inch Trinity ET Plus guardrail end terminal device claims.

Terms of the claim are stipulated in the attached Claim Form documents. It is further ordered that Commissioner Janet Thompson is hereby authorized to sign and submit said Claim Form documents.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #137-2023**

Auditor's Office

12. Second Reading: Budget Amendment – Department 2850 – Correct Class 9 Budget – First Read 03.16.23 – Open Public Hearing

Commissioner Kendrick opened/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 2850 to Correct the Class 9 Budget.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #138-2023**

Commission

13. Public Comment

None

14. Commissioner Reports

Commissioner Thompson stated she would like to officially say happy birthday to Presiding Commissioner Kendrick, who shares a birthday with Lady Gaga and Reba McIntyre.

Attest:



Brianna L. Lennon
Clerk of the County Commission


Kip Kendrick

Presiding Commissioner



Justin Aldred
District I Commissioner



Janet M. Thompson
District II Commissioner