

TERM OF COMMISSION: November Session of the October 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
Senior Planner Thad Yonke
Deputy County Clerk III 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. First Reading: Request by Jason Robbins to vacate and replat Lot 1 of CAB Subdivision. (open public hearing)

Senior Planner Thad Yonke read the following staff report:

A petition has been submitted by the following:

1. Jason Robbins to vacate and replat Lot 1 of CAB Subdivision found in Plat Book 16 Page 35 of the records of the Boone County Missouri Recorder of Deeds.

CAB Subdivision was recorded on August 26th, 1982. The plat consists of a single 2.5-acre lot. It is the intent of the petitioner to combine it with adjoining land, under their ownership, into a new plat containing two lots.

In accordance with Boone County Subdivision Regulations Section 1.8 the County Commission is required to conduct a public hearing prior to granting permission to vacate and replat a

subdivision. Before granting permission, the County Commission must find that the action will not adversely affect the character of the neighborhood, traffic conditions, circulation, the proper location, alignment and improvement of streets and roads within and adjacent to the subdivision, property values within the subdivision, public utility facilities and services and will not generally adversely affect the health, welfare or safety of persons owning or possessing real estate within the subdivision.

Character: The area consists of a mixture of parcels where most of the residentially developed homesteads are between 2.5-acres to 10-acres in size. Both the existing lot and the proposed replat are in keeping with the established character of the area.

Traffic: Granting the vacation request will not adversely affect future traffic conditions, circulation, location and alignment of streets within and adjacent to the subdivision. The replat will provide additional right-of-way for Roberts Lane. The existing two separate parcels of ground currently can each have a single dwelling unit; the replatted lots will be each eligible to support one single family dwelling each representing no change to the potential traffic.

Utilities and Property Values: The replat will provide additional right-of-way for Roberts Lane and extend and enlarge the public utility easement along the roadway. There is no indication that the vacation and replat will have any negative impact to the utilities, easements, or property values of the neighborhood.

Public Health, Safety, and Welfare: The vacation will not adversely affect public health, safety, and welfare. This vacation and replat will contribute to the orderly development of the area since the vacation will only go into effect with the recording of the replat that is replacing the current plat and the proposed replat concept will have to fully comply with the current subdivision regulations before it can be approved.

The proposed concept of the replat is not detrimental to the character of the neighborhood, will not adversely affect future traffic conditions, circulation, location and alignment of streets within and adjacent to the subdivision, or adversely impact property values within the subdivision. There is no indication there will be an adverse effect on public health and safety. Therefore, Staff recommends approval of this request subject to the following condition:

1. Said vacation is not effective until the lot and right-of-way proposed to be vacated have been incorporated into a subdivision plat in accordance with Boone County Subdivision Regulations and said plat is recorded in the Records of Boone County Missouri.

Commissioner Kendrick opened and 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.

2. First Reading: Request by Little Bay Farm & Michele Jackson Trust for a conditional use permit for an equine boarding facility and indoor riding arena in the Agriculture (A-1) zoning district on 91.55 acres located at 3900 S. Ben Williams Rd., Columbia. (Open public hearing)

Senior Planner Thad Yonke read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at the October 17, 2024 meeting and voted to recommend approval on a 10-0 vote.

The subject properties are located off South Ben Williams Road, approximately 660 feet north of the intersection of S. Ben Williams Road and E. Rosadene Lane. The property is zoned Agriculture 1 (A-1) and is surrounded by A-1 zoning on all sides. The zoning is original 1973 zoning.

The Conditional Use Permit request encompasses all 41.55 acres owned by Little Bay Farm, LLC and 10 acres currently owned by the Michele Jackson Trust. The proposal is to construct a 44-stall horse boarding facility with indoor riding area on the 10-acre property currently owned by the Jackson Trust. The applicant has indicated that the building will be constructed with 24 horse stalls for the initial operation with future expansion to 44 horse stalls. The 41.55 acres owned by Little Bay Farms, LLC will be used as additional riding and horse exercising area, as well as hay fields to produce feed for the animals. The applicant has requested that the hours of operation for the facility range from 7:00 AM to 10:00 PM.

The subject properties are currently undeveloped. The application indicates that should the Conditional Use Permit be approved by Planning and Zoning and County Commission, the applicant will purchase the ten acres from the Jackson Trust.

The following criteria are the standards for approval of a conditional use permit, followed by staff analysis of 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.

Equine boarding facilities have the potential to create negative offsite impacts such as odor from animal waste and traffic to and from the site. If developed in compliance with current County

regulations and with appropriate conditions as part of approval of the conditional use permit, this proposal can meet this criterion for approval.

- (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.

Surrounding properties are either large lot residential, undeveloped open space, or used for agricultural activity. If operated with appropriate conditions, impacts to surrounding property owners should be minimal.

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

Similar horse boarding and training facilities have been approved under the conditional use permit process in Agriculture zoned districts. There is no evidence that approval of this type of land use or their continued operation impairs property values.

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

The applicant has indicated that they are currently working with design consultants to design a building and ensure all associated infrastructure will be present on site. Outdoor lighting will be installed for security and accessibility purposes. Any light generated by the facility should be inward facing and downward to minimize light pollution onto neighboring properties.

No public sanitary sewer is available to serve the property. Domestic waste will require the use of an engineered onsite wastewater system. The applicant indicated that animal waste will be stored and composted on site to utilize as fertilizer for hay fields. The application submittal does not include an area identified to store and compost the waste.

Section 14 D. (7) of the Zoning Ordinance states that “lots utilized as Equine Boarding Facilities, Animal Training Facilities or Riding Schools shall not require a dust free surface unless specifically required by the terms of a Conditional Use Permit.” Staff review of previous conditional use permits, related to equine land uses, demonstrates a customary practice to not require dust free material for parking and drive surfaces.

In this case the applicant has identified that no more than 44 stalls will be constructed for the facility, limiting the number of horses on site. The applicant has also indicated that no other activity than the boarding and exercising of animals will occur on the property. Based on the limitations, requiring dust free material for all parking and drive be dust free may not be appropriate in this case.

- (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.

All surrounding properties are zoned A-1. Similar types of development such as barns and riding areas are common in this zoning district. Construction of a horse boarding facility is unlikely to prevent normal and orderly development of the surrounding properties.

- (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 applicant has indicated that they will secure an access easement from the Jackson Trust for site access to S. Ben Williams Road, a publicly maintained road. The applicant has indicated that they believe the increase in traffic on the road would be minimal and not enough to increase congestion on the road. With appropriate condition that limits the scale of the operation, traffic impacts should be minimal.

- (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.

This proposal can, in all other respects, conform to the applicable regulations of the zoning district in which it is located.

Zoning analysis: This Conditional Use Permit is a request for an equine boarding facility and indoor riding area located within an A-1 zoning district. Horses are a common feature of a rural lifestyle. However, concentration of these animals above the maximum permitted use of 6 horses may create conditions that are harmful to the wellbeing of the animals and have negative impacts to surrounding property owners.

This request can meet all the criteria for approval of a conditional use permit if appropriate conditions are applied. If operated in a manner consistent with county regulations and conditions imposed by Planning and Zoning and County Commissions, impacts to neighboring properties should be minimal.

The proposal scored 34 points on the point rating system. Staff notified 16 property owners about this request.

Staff recommends approval of the Conditional Use Permit for an equine boarding facility with the following conditions:

1. The equine boarding facility is designed by a design professional licensed to practice in the State of Missouri.
2. An engineered subsurface wastewater system is utilized for all domestic, or human, wastewater and be installed before occupancy of the equine boarding facility is granted.
3. All outdoor lighting shall be inward and downward facing.
4. Parking spaces required under Section 14 of the Zoning Ordinance shall be installed before occupancy of the equine boarding facility is granted.
5. An animal waste plan, developed in accordance with industry best practices, shall be submitted to the Director of Resource Management concurrent to an application for a building permit to construct the facility. The animal waste plan must identify an area designated for composting.
6. The maximum number of horses on the properties will be 44.
7. Hours of operation will be 7:00 AM to 10:00 PM.

The Commissioners discussed what “Hours of Operation” means and requested that item 7 on the list reflect this discussion.

Commissioner Kendrick opened and closed the public hearing. Public comment forms are attached to the end of the minutes.

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. **First Reading: Request by Branch Towers on behalf of Drake Maupin, LLC for a conditional use permit for a 280’ transmission facility on 232.53 acres located at 10900 E. Rob Cook Rd., Centralia. (open public hearing)**

Senior Planner Thad Yonke read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at the October 17, 2024 meeting and voted to recommend approval on a 10-0 vote.

The subject property is located near the intersection of State Route Z and Rob Cook Road, approximately 6 miles east of the city limits of Columbia. The tax parcel is 70.50 acres in size and currently zoned A-1 (Agriculture) and is surrounded by A-1 zoning. This is all original 1973 zoning. This tax parcel is part of a 232-acre tract. The property is currently vacant, it scored 17 points on the point rating system. Branch Towers is applying for a conditional use permit for a 280’ guyed communications tower.

A description of the lease area site has been submitted by the applicant in the application materials. The lease area for the tower is 3,600 square feet out of the 232-acre parent tract with

easement areas for the guy supports and an access/utility easement to serve the tower. The proposal for a transmission facility is for a 280' guyed tower and lightning rod, three guy wire supports and support facilities. The applicants have met the submission requirements identified for a conditional use permit for a transmission facility.

Staff analysis of the request is based upon the application and public comments received following notification of the surrounding property owners. As a conditional use permit, the proposal must meet the following criteria from the zoning ordinance to be eligible for approval:

(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 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.

If operated in conformance with existing regulations, this use should not be injurious to the use & enjoyment of other property in the immediate vicinity for purposes already permitted by the regulations. This tower is of a height that lighting will be required per Federal Aviation Administration regulations at the midpoint and the top of the tower. Public testimony may be indicative as to whether this criterion can be met.

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

The application meets this criterion as per the zoning ordinance Section 15B section 4, subsection (e). However, this is a purely technical analysis as constructed by the regulations. Public testimony may better reflect any impacts on property values.

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

The use has limited needs with respect to utility infrastructure and so the site has adequate facilities to support the proposal.

(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.

This area is zoned A-1, with residential uses limited to 10-acre tracts or larger. The placement of this facility should not impede the normal and orderly development of the surrounding property.

(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 proposed use is a minimal traffic generator and should not hinder traffic or cause congestion on public streets.

(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 A-1 zoning district, particularly since no land division is proposed. Public necessity has been discussed by the Federal Telecommunications Act of 1997 to allow for widest dissemination of wireless communication services.

Zoning Analysis: This conditional use permit application meets the standards established by the Boone County Zoning Ordinance for a transmission facility.

Staff recommends approval of the conditional use permit with the following condition:

1. All tower lighting shall be red unless prohibited by Federal Regulations.

Commissioner Kendrick opened and closed the public hearing. Public comment forms are attached to the end of the minutes.

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. **First Reading: Request by Refaat Mefrakis & Corban Ali Fadiiah to rezone from Planned General Commercial (C-GP) to Planned Single-Family Residential (R-SP) and to approve a review plan for The Haven at Newtown on 0.2 acres located at 6725 S. New Town Ave., Columbia. (Open public hearing)**

Senior Planner Thad Yonke read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at the October 17, 2024 meeting and voted to recommend approval on a 10-0 vote.

The subject property is located off S. Newtown Avenue, between W. Three Trees Lane and W. Center Street. A strip of property measuring 22' by 82' across W. Three Trees Lane is also part

of this request. The proposal is to rezone from Planned General Commercial (C-GP) to Planned Residential Single Family (R-SP) and utilize the density of the planned area to construct three single family attached dwellings. The surrounding zoning is as follows:

- North, across Route K, R-SP
- East, C-GP
- South, R-SP and C-GP
- West, R-SP

The subject property was rezoned from Agriculture 2 (A-2) to C-GP under County Commission order #339-98. The original planned development for Newtown included two planned areas designated as “A” and “B”. Area A is between Coneflower Avenue and Newtown Avenue with both attached and detached single family homes zoned R-SP. Area B is east of Newtown Avenue and west of Coneflower and flanked Area A on either side and zoned C-GP. Area A included two commercial lots at the intersection of Center Street and New Town Avenue identified as lots C-2 and C-3. Both commercial lots were limited to uses of the Neighborhood Commercial (C-N) districts, with up to two residential apartments per commercial lot. While residential development occurred with Area A, neither of the commercial lots identified as C-2 and C-3 on the original Newtown plan developed. The current owners of lot C-2 have requested a change in zoning from C-GP to R-SP and utilize remaining density of the planned area to construct three single family attached dwellings. Four additional parking spaces will be installed on the strip of property across from W. Three Trees Lane.

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

Utilities: The subject property is located within Consolidated Water Supply District #1. The Water District has indicated that sufficient flows are available to support both residential use and fire flows. Boone Electric Cooperative provides power service. Both Boone Electric and Consolidated Water have indicated that service lines located within the portion of property across Three Trees Lane may need to be relocated depending on the grading of the property.

The Boone County Regional Sewer District provides sanitary sewer service in the area. The Sewer District has indicated that capacity for property exists at the South Route K facility for the three proposed single-family dwellings.

Transportation: The property has direct access onto Newtown Avenue, a publicly maintained roadway. County engineering staff have evaluated the proposed single access for the development onto Newtown Avenue and have indicated there is adequate spacing for driveway

access. The applicant has proposed four additional off-street parking spaces along the strip of property across W. Three Trees Lane. The original development plan utilized this strip of property for off street parking requirements for the proposed commercial development. Utilization of this strip for parking for the current proposal of residential development is unusual but is in line with the intended development of the property.

Public Safety: The Boone County Fire Protection District provides fire protection. The nearest station, Station 8, is approximately 1.9 miles away.

Zoning Analysis: This request is to modify an existing planned development and change the use from commercial to residential. After review of the proposed review plan and rezoning request, this proposal does meet the sufficiency of resources test. A change from C-GP to R-SP will match the neighboring zoning districts and provide a similar pattern of single family attached development present in the area.

The property scored 70 points on the rating system. Staff notified 118 property owners regarding this request.

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

1. The applicant will work with utility providers to determine if existing underground utility lines shown on the plan must be relocated before paving of the parking spaces along W Three Trees Lane.
2. Occupancy of the residential structures will be contingent on installation of the four parking spaces identified off W Three Trees Lane.

Commissioner Kendrick opened and closed the public hearing. Public comment forms are attached to the end of the minutes.

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. **First Reading: Request by Moore Bunton Properties LLC to rezone from Agriculture (A-2) to Planned Light Industrial (M-LP) and to approve a review plan and preliminary plat for Hallsville Industrial on 36.61 acres located at 5500 E. Parks Ln., Hallsville. (Open public hearing)**

Senior Planner Thad Yonke read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at the October 17, 2024 meeting and voted to recommend approval on an 8-2 vote.

The property is located at the immediate southeastern corner of the intersection of State Route B and Parks Ln. The zoning is Agriculture 2 (A-2) as is all the surrounding zoning. These zonings are all original 1973 zonings. This request is to rezone the approximately 51.81 acres to Planned Industrial (M-LP) and to create a railroad oriented industrial freight facility on the 36.4-acre proposed Lot 1, a place of worship with allowable expansion on proposed Lot 2 which is the site of the existing church, and proposed Lot 3 will be for a Boone County Regional Sewer District (BCRSD) to serve the entire development with public sewer. While there are other uses listed in the allowed uses section, they are generally in keeping with the same kind of intensity and expected impacts as a truck terminal or railroad freight facility. The area sought to be rezoned is currently the site of the existing church and its corresponding private wastewater lagoons.

The Master Plan identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal. The sufficiency of resources test provides a “gatekeeping” function. Failure to pass the test should result in denial of a request. Success in passing the test should allow the request to be considered and evaluated based on accepted planning principles.

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

Utilities:

The site is in Water District 4 and there is a water tower 1200 feet to the south of the property and a 5-inch watermain on the property now. It will be up to the developer to pay to have water improvements made to support the site proposal with both proper water for fire protection as well as general use. Boone Electric Cooperative provides service to the site and area depending upon the demand for the proposal the developer might have to make improvements or at a minimum pay for electrical upgrades. The site is in the Boone County Fire Protection District (BCFPD) and two points of entry are required for the site; this will be discussed in more detail under the transportation section. The development is proposed to be served by a new BCRSD drip irrigation sewage treatment facility that will be installed by the developer on Lot 3. The design of the sewage collector system will have to be designed to meet the BCRSD standards. The system will provide public sewer service to both the church on proposed Lot 2 and the freight facility on proposed Lot 1. Alternatively, the BCRSD has a long-term desire to provide a collector sewer main northward up Route B to connect several of their existing facilities and provide additional capacity from their Rock Fork plant. Development on the site will be required to comply with the Boone County Stormwater Regulations.

Transportation:

The property has frontage on both State Route B and Parks Ln. The proposal would like to take access from each roadway. The proposal should have both connections in order to meet the required remote two points of access. However, the property has no access rights for State Route B as the Missouri Department of Transportation (MoDOT) purchased the access rights from the property. MoDOT has indicated that regaining access rights to Route B may be difficult and can't be considered a given condition.

Route B is the most direct connection corridor from Columbia to Hallsville to Centralia and as such MoDOT has secured a wide Right-of-Way (ROW) corridor of around 200 feet or greater all the way from where the 4 to 5 lane roadway drops to 2-lanes at Browns Station Rd. in Columbia all the way through the proposed site area to just south of Cedar Gate subdivision. This ROW allows for significant future improvement to Route B.

The applicants will seek to regain some access rights in order to use Route B as their primary access point. The applicants hope to use Parks Ln. as a secondary access point but only as an emergency-only gated access point. It should be noted that Staff does not consider a gated connection to be a second access point. While it does provide emergency access, the purpose of requiring two access points is to disperse traffic more freely onto the public road network.

A Traffic Impact Study (TIS) has been provided for the proposal. The TIS identifies that both left turn and right turn lanes will be required along Route B at the primary entry route whether the turn lanes are located at a repurchased direct connection on Route B or at the intersection of Route B & Parks Ln. The plan shows the turn lanes at both locations on the graphic of the review plan, but it should be understood that the applicant intends this to be an either/or option not a proposal to construct the turn lanes at both. Similarly, the applicant shows Parks Ln. being improved to a commercial/industrial county standard, but they are only proposing this if Parks Ln. becomes the primary access to the site. Note #15 is supposed to reflect this but it is still improperly worded.

Regardless of whether Parks Ln. becomes the primary access or not, Design and Construction /County Engineering have noted that Parks Ln. is not constructed to the County Commercial/Industrial standard. The rezoning is the triggering condition for this non-compliance and even as a potential emergency-only access, the County is concerned that Parks Ln. will be unduly damaged by both heavy trucks and emergency services in its current state and that improvement should be part of the development approval.

The original TIS does not reflect all the land uses listed under the allowed uses section of the plan. The supplemental traffic letters were supposed to address this deficiency and did to a point, however, the most recent clarification letter from the traffic consultant states that a railroad spur tracks truck terminal and a moving, transfer, or storage use can't be evaluated without more specifics to know if they would generate more or less traffic than the warehouse use evaluated by the study; this is problematic because these are arguably the primary targeted uses of the site and they remain unaddressed by the TIS.

Public Safety Services: The site is within 2.5 road miles of County Fire Station 3 on State Route B, Hallsville.

Zoning Analysis:

The Master Plan designates this property for agriculture and rural residential use. The proposed use is not consistent with that designation. However, the Master Plan does indicate that where new commercial or industrial areas are proposed such areas should be located where infrastructure to support the uses exists or can readily be installed.

The subject property is in the Urban Services Area as defined by the County Land Use Regulations. The location of the property being directly between a state road and rail line at an intersection of the major state road and county road is however, a relatively unique set of features with respect to the suitability of the proposed primary use. Having a Water Tower nearby also boosts the suitability of the site to have the proper infrastructure for more intensive use. This is especially true when these improvements can support commercial or industrial fire flows.

The mechanisms that are best suited to ensure that impacts related to the changes in zoning are addressed, come from using the planned versions of the appropriate zoning districts; this current proposal is a planned industrial development. While the proposal does fundamentally change the character of the area. Staff believes the scale of the proposal makes it not a spot-zoning but rather an evolution based upon the increase in area infrastructure and unique features supportive of the primary proposed use.

The Master Plan does discuss preserving existing character, but it also addresses the need to provide economic stability to the tax base and provide employment centers that create jobs. We have received letters of support for the proposal from the Hallsville School District and Regional Economic Development Inc. (REDI), that are excited to see the potential for additional jobs for the Hallsville area and increases in tax revenue generated to support schools and other public needs. These employment centers are to be located where the infrastructure can support them, and this location appears to be a possible candidate to be one of the few that can.

We have also received a number of written comments in opposition to the request that are concerned with a change in the character of the area and the possible negative impacts created by the proposed development. Most concerns are related to traffic on Route B. Another concern is with what the increase in the train traffic there could be and the possible lengthening of trains with additional cars and potentially blocking or just creating greater conflicts at road/rail crossings.

The request does seem to meet the sufficiency of resources test for service availability or potential availability. However, there may still need to be some coordination work with utility providers and some of the specific traffic concerns have not been addressed.

Approval of this request will set the stage to change the character of the area, but by using the planned zoning tools available under the County Zoning Ordinance, conditions can be placed upon the request to minimize impacts to the immediate area. When looking for a location to establish an employment center between Hallsville and Columbia, this site seems well suited under the criteria provided by the Master Plan.

Staff notified 13 property owners about this request. The property scored 71 points on the rating system.

Staff recommends approval of the rezoning and review plan subject to the following conditions and sub-conditions:

Prior to Final Plan

1. A lighting plan requiring exterior lighting to be shielded and oriented inward and downward lighting to minimize glare and light trespass be prepared by a qualified engineer to include an explanation of how the light will be contained on site and be focused inward and downward. Such plan is to be created to the satisfaction of the Director of Resource Management. All exterior lighting shall be built and maintained in accordance with the approved plan.
2. A Landscaping buffering plan shall be created to address impacts to the property owners to the north and east and south be created to the satisfaction of the Director of Resource Management.
3. That only façade signage on the Route B side of the building be lighted.
4. Parks Ln. improvement to a commercial/industrial road standard be required as part of the development, prior to final plan approval.
5. Because it is likely to take quite a while to clarify the Route B access situation and it is unlikely the property can be seriously marketed to freight developers until the access issue is resolved, we propose the Review Plan be approved with a five-year window as opposed to the standard two-year deadline for getting a Final Plan approved.
6. Note #15 needs to be clarified on the Final Plan to reflect the improvements that will be required at Parks Ln based upon approval conditions within the wording to be crafted to the satisfaction of the Director of Resource Management.
7. An amended traffic study, evaluating the railroad spur tracks truck terminal and a moving, transfer, or storage use, be conducted to assess the impact and see that it is not greater than that of the other uses proposed in the TIS. If it is, then a new review plan/rezoning process will be required before those uses can be utilized.

Commissioner Kendrick opened and closed the public hearing. Public comment forms are attached to the end of the minutes. The Commissioners discussed with Staff and the applicant and those testifying the alternatives for access and needs for the property depending on MoDOT's decision about access to Route B.

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. First Reading: Request by Route B Independent Church to rezone from Agriculture (A-2) to Planned Light Industrial (M-LP) and to approve a review plan and preliminary plat for Hallsville Industrial on 15.09 acres located at 11700 N. Rt. B, Hallsville. (Open public hearing)**

Senior Planner Thad Yonke read the following staff report:

This item has been included in the report for the previous item.

Commissioner Kendrick opened and closed the public hearing. Public comment forms are attached to the end of the minutes.

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.

Auditor

- 7. Second Reading: Budget Amendment - Department 2906 - Cover Class 7 - First Read 10.29.24 Open Public Hearing**

Commissioner Kendrick 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 attached Budget Amendment for Department 2906 to cover Class 7 costs.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #534-2024**

Resource Management

8. Second Reading: Approval of Extension of Stormwater Security Agreement and Erosion and Sediment Control Irrevocable Letter of Credit for Ravenwood Plat 2 – First Read 10.29.24

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the extension of the Stormwater Security Agreement and Erosion and Sediment Control Irrevocable Letter of Credit between the County of Boone and Fred Overton Development, Inc. The terms of the agreement are set out in the attached contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #535-2024**

9. Second Reading: Approval of Stormwater Security Agreement and Erosion and Sediment Control Irrevocable Letter of Credit for Concorde South Plat 1-B, Lot 1-A – First Read 10.29.24

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the Stormwater Security Agreement and Erosion and Sediment Control Irrevocable Letter of Credit between the County of Boone and Concorde Plaza LLC. The terms of the agreement are set out in the attached contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #536-2024**

Purchasing

10. Second Reading: Award of Amendment #1 to Contract C000377 from cooperative contract NCPA-01-97, Synnex Advanced Technology Solutions Aggregator - GETAC In-Car Video Recording and Body Camera System Products, Services and Support Maintenance for the Boone County Sheriff's Office – First Read 11.07.24

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the award of Amendment #1 to County Contract C000377 awarded from cooperative contract NCPA-01-97, Synnex Advanced Technology Solutions Aggregator for GETA In-Car Recording Systems and Body Camera System Products, Services and Support, Term and Supply to Upstate Wholesale Supply, Inc. dba Brite Computers of Victor, New York for the Boone County Sheriff's Office. The contract amendment is set-out in the attached and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #537-2024**

11. Second Reading: Amendment #1 to contract C000664 (34/2023) - Low Voltage Wire and Related Services with Steel-Nett, LLC – First Read 11.07.24

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve a Cooperative Term and Supply Agreement with Steel-Nett, LLC for Low Voltage Wiring and Related Services. The terms of the agreement are set out in the attached contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #538-2024**

12. Second Reading: Amendment # 1 to ARPA Funding Subrecipient contract: C000792 – Ashland Stormwater Improvements with City of Ashland, Missouri – First Read 11.07.24

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve a Contract Amendment with City of Ashland, Missouri for Ashland Stormwater Improvements. The terms of the contract amendment are set out in the attached contract amendment and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #539-2024**

Sheriff's Office

13. Second Reading: Budget Amendment - Department 1253 - Cyber Crime 24/25 – First Read 10.29.24 Open Public Hearing

Commissioner Kendrick 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 attached Budget Amendment for Department 1253 to cover the State Cyber Crime Grant award.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #540-2024**

Human Resources

14. Second Reading: Budget Amendment - Department 1195 - Increase Budget Insurance Activity – First Read 10.29.24 Open Public Hearing

Commissioner Kendrick 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 attached Budget Amendment for Department 1195 to Increase Budget Insurance Activity.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #541-2024**

Commission

15. Public Comment

None

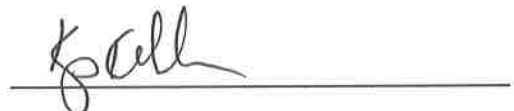
16. Commissioner Reports

None

Attest:



Brianna L. Lennon
Clerk of the County Commission



Kip Kendrick
Presiding Commissioner



Justin Aldred
District I Commissioner



Janet M. Thompson
District II Commissioner

JOHN WILKE
1855 Mountainash Ct.
Columbia, Mo 65202
573/424-3190
johnwilke@msn.com

November 22, 2024

Janet Thompson, Commissioner
Boone County Commission
801 E. Walnut
Columbia, Mo 65201

Re: Moore/Bunton Transload Project

Dear Commissioner Thompson,

The purpose of this letter is to confirm our phone conversation of November 18, 2024 regarding the above re-zoning request which at the time was awaiting 2nd hearing. In that conversation and subsequent email, I informed you that I am the Board Chairman, of the City of Columbia Railroad Advisory Board and was conveying consensus of the Board in support of the matter, and that there was unexpected issues with City staff which impaired prior transmittal of the Board's unanimous recommendation for project approval. I am informed that the Commission did approve the re-zoning item at the November 19, meeting, and I thank you for your consideration and decision.

In my previous email, I provided a reference link to the recent Economic Impact Analysis for the COLT Railroad which elaborated the jobs created, economic impact and tax generation of the railroad. Additionally, I informed you the rail operation faces present economic challenges and actively seeks new revenue, such as would be anticipated from the Moore/Bunton facility.

In view of the aforementioned communication issues, I am qualifying my comments with a copy of the approved minutes of the Railroad Advisory Board meeting of September 12, 2024, wherein the Board's recommendation for re-zoning was established.

Once again, thank you for your support of the project.

John Wilke, Advisory Board Chairperson

A handwritten signature in blue ink, appearing to read "John Wilke", is written over the typed name.

expenses are up due to personnel changes and pay increases. Transload's operating revenue has increased slightly and continues to stay consistent. Operating expenses have stayed consistent throughout the year.

Attachments: Railroad Financial Statements
Transload Financial Statements

VI. TRAFFIC REPORTS

Traffic, as well as storage cars, have stayed consistent since last meeting. Transload has seen an increase.

Attachments: COLT Traffic Report FY 2024 - (Aug. 2024)
COLT YTD Comparisons - (Aug. 2024)
FY End Totals of COLT Traffic - (Aug. 2024)

VII. CHAIRMAN'S REPORTS

Mr. Wilke started his report recapping the visit of OmniTrax representatives to Columbia and Jefferson City. OmniTrax is a fleet management holding company based out of Denver CO. The company expressed interest in management of COLT with City Administration during their recent visit. Mr. Sorrell stated that the city does not have a contractual relationship with OmniTrax. Any type of partnership would require a Request for Proposal.

Mr. Wilke stated that the Moore Bunton Properties LLC, is seeking rezoning of agricultural acreage located between Columbia and Hallsville for planned light industrial use which will include a railroad spur into the property. This property would be serviced by the COLT Railroad. Mr. Sorrell presented the Parks Lane "conceptual site plan" which will be presented to the Boone County Planning and Zoning later this fall. There is no specific business targeted for use of this property at this time.

The owners of the property requested a letter of support from the COLT Advisory Board supporting this potential rail served development. Mr. Wilke asked the board if they would be in favor of that. The board voted unanimously to send a letter of recommendation.

Several months ago the COLT Advisory Board started a committee to "get the word out" regarding the COLT Railroad and Transload facility. Mr. Wilke passed out a PowerPoint outline created by Mr. Marty Oetting, listing suggestions on creating community awareness. Mr. Blair Hendrickson was appointed to continue with the project as Mr. Oetting's position on the board had expired.

November 12, 2024

Boone County Commission
801 E. Walnut
Columbia, MO 65201

**Re: Supplemental Letter to Boone County Commission Re:
Rezoning Request for Hallsville PID site (A-2 to M-LP) near
Route B/Parks Lane**

Dear Commissioners Thompson, Aldred, and Kendrick,

We submitted a letter dated October 17, 2024 to the BCRM and Planning & Zoning Commission (P&Z), and also attended the meeting in person to summarize our points. I trust that our October 17th letter is part of the P&Z meeting record and I would ask that it be reviewed as it is a more comprehensive expression of our views. Every effort has been made with this letter to avoid redundancy with our Oct. 17th Letter and our Nov. 11th joint letter with our neighbors.

After attending the most recent P&Z meeting, listening to the meeting's audio record, and researching matters further, we wish to supplement our letter with additional important points that we believe are crucial to the decision-making process of the Boone County Commission (the Commission). I would add that I would recommend listening to as much of the record as possible as it pertains to this request, beginning at 2:35:45, following the Staff Report.

I make references to: 1) the P&Z audio record (hopefully there is one file and the time stamps are the same); 2) October 17th BCRM Staff Report; the current 1996 Master Plan; and 3) the New Master Plan Project, which has not yet been drafted or approved.

1. Despite clear public concern, and the Current and New Master Plan project, there was no traffic study evaluating the site's impact to general traffic safety nor any intention to study this subject.

The question is simple: "how will this site impact traffic on Rte. B?" The P&Z Commission and the Staff Report (p. 3) acknowledge numerous traffic safety concerns from the public, yet to date the candid answer from the P&Z is, essentially that it has not reviewed the site's impact to traffic safety and there is no intention to find out. The Applicant admitted numerous times that traffic will increase with the site and, as one P&Z Commissioners commented "...I drive Route B every day and I hate it—it [stinks]."

Despite all this, not even an assumptions-based traffic safety study was conducted and, per Mr. Florea of BCRM (P&Z Record at 3:51:20), the new traffic study required per condition 7 of the Staff Report adopted by P&Z will be limited to points of access to the site and *“not a general traffic study, as has been pointed out...”* Given that this site will, per the Staff Report (p. 3) “fundamentally change the character of the area,” over an already burdened road, there should be a broader traffic safety study before proceeding.

Section 5(19) of The Current Master Plan Section, defining ML-A, permits uses that *“Generally those light manufacturing uses similar to those listed below which do not create any more danger to health and safety in surrounding areas...”*, not to mention references to safety in Section 1 (Purpose and Intent) and numerous references to traffic concerns.

From the September 5th Open House Board regarding the New Master Plan, a Principle is *“A safe, efficient transportation system that supports multiple modes of transportation,”* with a Goal of *“reduc[ing] transportation-related deaths and serious injuries,”* and a Vision Metric of *“Zero traffic fatalities and serious injuries in unincorporated Boone County.”* In fact, the Route B Corridor from Columbia to Hallsville—which includes the area of the site—is identified as a “Safety Focus Corridor.”

Is there ever a case where a development presents too great a safety risk to the public that it should be declined? I would hope the answer is “yes,” but in this case, if safety is such a central part of the current and new direction of the Master Plan, then why has it not been studied? The same goes for rail—the issue is **not** whether the neighbors or residents along the COLT will experience increased rail use (as one P&Z Commissioner stated after the public comment period ended) but the issue is rather **by how much will it increase**, and **what impact** will this have on traffic crossings, etc.? The P&Z record makes clear that this too is unknown, and yet the conclusion thus far has been that development must proceed despite these fundamental unknowns.

The County should study and then weigh the costs and benefits of a given development. I would urge that the Commission to send a message that developments—especially ones that fundamentally change the nature and character of an area—will only proceed only after studying, understanding, and weighing serious traffic safety risks.

2. The P&Z is essentially implementing the direction of the updated Master Plan working group by developing the corridor between Columbia and Hallsville.

More than one P&Z Commissioner referenced the Site as existing within a corridor in which the New Master Plan working group has identified as key for development. The New Master Plan, however, has not been drafted, much less opened for comment and approved by the Commission. I respect this group’s work, but the process needs to be completed—and the Plan likely modified—before its aims are implemented. I look forward to being a part of the process and I would ask that the Commission reject this

proposal as representing an over eager implementation the P&Z and working group's direction before the process is complete.

3. We have concerns that the Applicants made representations concerning positions of MODOT which are unverified.

The Applicant makes the following statements on the P&Z record (from 2:43:30 to 2:47:05):

"MODOT has tentatively approved our project for access."

"MODOT doesn't seem to want to want to even talk about [care about] that [traffic load] because they have the ability to make Route B four lane anytime they want."

"At some point, they [MODOT] anticipate making Route B four and five lane up to Hallsville."

"While we will be creating more traffic...we understand from MODOT that Route B can handle it at this point and our traffic engineer has worked diligently with MODOT to come up with our traffic study and everybody seems to think it will work until they [MODOT] decide to do something else."

"As I said, we have an assurance from MODOT that we would qualify [for the access driveway off Route B]. That's all. A verbal assurance. That's not a permit."

I do not have access to the entire record of the Commission, so there may be submissions from MODOT that I am unaware of, but based on my research and review of the P&Z Record, these are very strong statements and without MODOT verification or corroboration, must be taken with a grain of salt.

Did Route B conduct its own study of Route B? If not, how would MODOT have an opinion regarding the status of Route B generally? I would urge caution in relying on anyone other than MODOT to speak on behalf of MODOT.

The Traffic Study acknowledges that Route B is "limited access," which means any new access drives are held to a higher examination, including any new benefit to the existing roadway network and a detailed safety analysis with any new access ultimately needing approval from MoDOT (Traffic Study p. 1., and Traffic Study Supplement, p. 1). It is worth noting that, at 3:08:00, Mr. Florea of BCRM corrected the Applicant after the meaning and scope of his Traffic Study was overstated.

Several points of discussion essentially indicate that the P&Z and the Applicant believe that increasing the load—perhaps even overloading—Route B would "force MODOT's hand" in improving Route B for safety. (P&Z Record at 2:57:00). Even if true, the prudence of increasing traffic load based upon the hope or expectation of improvement seems unwise. What is the public risk in the months or years until such event occurs. And what's worse, what is to say that such improvement will ever happen? Perhaps it is not

built, or is not for 5-10 years? The prudent approach is to evaluate what the traffic situation is and whether, or to what extent, the site will increase traffic risks and take the situation as it exists today.

4. The land doesn't "have to be developed"—at least not developed as ML-A—to achieve the Applicants' primary goal of protecting Route B Independent Church.

The Applicants repeatedly stated on the record that it is their "primary goal" to protect the church (P&Z Record 2:39) from negative impacts flowing from other uses of the property. If this is so, then it is hard to imagine how leaving the land as A-2 would not fully accomplish this goal—especially when compared ML-A with rail unloading, transloading, warehousing, and manufacturing uses.

It is notable that the Applicants were seeking P&Z approval of one access point to the site, and that if MODOT would not grant access off of Route B South of Parks Lane then they would utilize Parks Lane for primary access (P&Z Record 2:43:10, 2:57:14). Yet Parks Lane is the only access for the church and an access point that was discussed as clearly the more dangerous and least desirable of the two access points due to its convex curve and poor sight lines. (P&Z Record at 2:57:14).

The Applicants state that they purchased this land over 20 years ago, which was zoned A-2 at the time, but that ML-A appears commercially viable, it must then follow that ML-A is an appropriate use. But this is a false premise. The gap in this logic is the idea that their land "needs" to be developed or will "inevitably" be developed. Despite the Applicant's comments, development of this lot, or any land for that matter, is not inevitable.

The application before the County is not a now-or-never decision in terms of development and it simply cannot be fairly stated that if the land were left as A-2 that the County would be leaving the church "unprotected." The Route B Independent Church is a church in rural Boone County; if anything, leaving the site zoned as A-2 would do more to maintain and protect this character and identity than any other use.

5. Given that this site would "fundamentally change the character of the area," we would ask that more caution be used than usual—not less.

It is not the fault of the neighbors or the public that the Applicants do not have an end-user identified, and thus there are, as Applicants admit, a many unknowns concerning the intended site (P&Z at 2:48:16), but if things go poorly and the impact is significantly negative, it will be the neighbors and the public that absorbs this impact. The question is whether to take these unknowns and resolve them in favor of proceeding without basic facts, or whether to halt the project until such time as the end-user is known.

6. The Applicants express intentions and goals concerning site limitations, but neither they nor the P&Z have incorporated these intentions and goals into conditions.

As has been mentioned in our joint letter, the site Plan approved by the P&Z contains some conditions to protect neighbors, but in our view it falls short of lessening the impact of the site—especially when considering the tools available with planned zoning.

At the P&Z meeting, the Applicants make reference to goals, intentions, aims, and hopes to only select a buyer or end-user who will implement hours of operation limitations, design features, etc. It is disappointing that the P&Z did not place, nor the Applicant volunteer, that such conditions be incorporated into on the site Plan. The Applicants repeatedly expressed their openness to such conditions and in some cases their intent and desire to incorporate these and other protections for the benefit of the church. Conditions would protect neighbors and the church alike and should have been added as conditions to the site Plan. I submitted several such conditions in writing prior to the meeting, reiterated them at the Oct. 17th meeting, and again in our joint letter. If the rezoning is approved, reasonable conditions should be added to the site Plan.

Again, if the Applicants and P&Z approve a site that fundamentally changes the character of the surrounding area, it would seem only appropriate that the County would use all of the tools at its disposal to reasonably protect the use, enjoyment, and property values of the neighbors impacted by the site.

At 2:48:40, the Applicants make expressions of intent to require buildings that are attractive, and to make deed restrictions of this kind, but 1) this is not incorporated into the site Plan and therefore is not binding 2) this runs contrary to their prior comment that the benefit of planned development is to put enforcement of certain conditions on the County (instead of the owners/Applicants). What those requirements are, and how defined, are presently subject to the Applicants discretion. We would ask that, if approved, that the County require robust conditions that protect the neighbors and community.

7. Summary & Conclusion: Prudence & Protection from Consequences of Development.

The touchstone of our objections is that it is clear that this site will have significant off-site consequences, both to the neighbors and the public, and that it is no answer to our concerns to say that they are simply unknown and therefore cannot outweigh the general interest of development. It seems fairly intuitive that increasing semi-truck traffic on Route B will increase accidents; its just a question of how many and how severe.

It is further beyond debate that a novel, heavy land use next to homes can destroy the use, enjoyment, and property values—something that people spend their entire lives building. Our home was built over 100 years ago. In fact, it was a Sears and Roebuck kit and delivered by rail. And since that time the COLT has been a relatively low-impact rail system. We have no problem with the COLT at or slightly above its present rate of use.

At the P&Z meeting, however, a commissioner stated (after public comment had ended and we could no longer make a reply) that we should have expected that our

proximity to the rail meant that we should be neither surprised nor disappointed when an industrial site—a warehouse or manufacturing facility—is built less than 50 yards from our front porch. The site Plan has a semi-truck parking lot directly across my living room with 49 parking stalls and light standards. Such trucks would shine lights directly into our home—our bedrooms and living rooms and at present, without any hours of limitation. This intrusion into our property is unprecedented in the 100+ years since the foundation of our home was built and I would respectfully submit that there is more to this zoning decision than simply placing an industrial site where people don't have a right to complain because they made their home along the 21 miles of the COLT.

I understand that balancing interests in land use is a difficult task. I would ask the Commission to remain vigilant in protecting the neighbors and the public from development that will likely cause great harm to the neighboring landowners and the who uses the Route B corridor.

Thank you for considering our objections and requests on this matter.

Respectfully submitted,

Two handwritten signatures in blue ink. The first signature on the left is 'Stefan' and the second signature on the right is 'Lori'.

Stefan & Lori Knudsen

November 11, 2024

Boone County Commission
801 E. Walnut
Columbia, MO 65201

Re: Letter from Neighbors to Boone County Commission Re: Rezoning Request for Hallsville PID site (A-2 to M-LP) near Route B/Parks Lane

Dear Commissioners,

We are the neighboring landowners and residents adjacent to or near the land that is currently under application for re-zoning as referenced above. Please accept this letter as part of the record regarding this application.

Our request is that this rezoning request be denied for the following reasons:

1. Spot zoning & Negative impact to use, enjoyment, and property values.

This site will drastically change the nature and character of the area, which will in turn have a profound negative impact on the use, enjoyment, and value of our property. Without any step-down in zoning from industrial to agricultural/residential we will have virtually no protections or “cushion” from the impact of this site. The site plan would authorize a building of 5.73 acres in size, 45 feet tall, and with parking stalls for 28 semis and over 100 employees. The scope and impact of this enormous site so close to homes cannot be understated, including an undeniable reduction in our property values.

2. The traffic safety impact to the Route B corridor has not been studied and therefore is unknown; this needs to be studied and considered before such a site is approved.

The traffic study consists of studying 1 day’s-worth of traffic in October of 2022. The scope was extremely narrow and does not study the impact to traffic safety or risks for the Route B corridor (i.e., estimated increases in crashes and fatalities). Even without knowing the end-user, certain assumptions were made, but only studied to the extent they generally pertain for trucks and employees entering and exiting. Both neighbors and the public have expressed genuine safety concerns about increasing traffic—specifically semi-truck traffic—on Route B and are merely asking that the traffic impact be studied and considered before such a site is approved.

3. The Applicants have made no meaningful effort to engage with the neighbors.

We were not contacted by the Applicants with respect to this development. All interactions with the Applicants, **if any**, have been initiated by us—not the Applicants. Some of us met with the Applicants, but we initiated those meetings. No concessions or conditions were volunteered by the Applicants, though several non-binding expressions of “intent” were made at the Oct. 17th. The Applicants do not live adjacent to the site and will not be impacted in their everyday lives by the site.

All of this is frustrating and disappointing because the effort to develop this site has been in motion for over two years (per the traffic study), which would have been more than enough time to contact neighbors and hear our concerns. BCRM gave direct notice to 13 landowners. This contact information was available to the Applicants and yet no contact or dialogue was initiated by them. It is difficult to draw any conclusion other than that the Applicants had virtually no interest in hearing our concerns, much less in taking steps to lessen the site’s impact on our homes and properties.

4. The conditions placed on the site are inadequate to protect neighbors from impact.

While the Planning & Zoning Commission placed conditions on the site to lessen the impact to the neighbors, they are simply not adequate. Most notably, there is no limitation on hours of operation, which means there is nothing to prevent rail and semi traffic to run at any hour, 24/7/365, in close proximity to our living spaces.

The County has the authority to place additional, meaningful conditions upon the site, yet thus far the Planning & Zoning Commission has declined to do so. There are many tools at its disposal to protect neighbors from the harsh impact of heavy land use: hours of operation, building materials, height restrictions, design features, smaller footprint, 24 months to submit final plan (instead of 72), 1 spur not 2, etc. We appreciate what conditions were approved by the Planning & Zoning Commission, but respectfully suggest that they are far too little relative to what could have been placed upon the site (and with relatively minimal cost or burden on the Applicant or end-user).

5. The end-user is unknown; therefore, the most negative impact must be assumed.

Because the Owners/Applicants have elected to re-zone before selling the property to the ultimate end-user (who we are told is unknown) prudence requires that the Commission consider the impact to neighbors at the highest degree of impact. If the Applicants were to bring the ultimate end-user, with a use and development plan that is known, it could then be understood and evaluated. As it is, however, this is not possible and therefore needs to be assumed to be the heaviest use permitted under M-LP (including conditional uses like high water use and manufacturing) when considering this application.

6. Conclusion: Responsible Development.

We are not opposed to any and all development. But we are opposed to development at all costs (or without knowing the costs). We are merely asking that the impacts to the site to us and the broader community be studied and understood before a decision is made, and that if approved, that additional reasonable conditioned be placed on the site to protect the neighbors.

This may mean that an identified end-user with a concrete site plan be the first step to allow for a more detailed discussion and analysis to take place. Perhaps the end-user will engage with the neighbors and consider reasonable conditions and protections for the neighbors. Adopting this approach would not hinder the Applicants in their effort to market their property while still protecting the neighbors and looking out for the broader community of Boone County.

Thank you very much for considering our concerns and objections.

Respectfully submitted by the neighbors and residents
near the requested Hallsville PID site near Route B/Parks Lane,

Timothy D. Waller

Angela M Waller

Lois Knudsen

Lois Knudsen

Stephan Knudsen

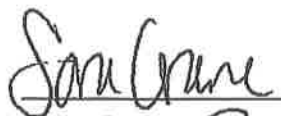

Stephan Knudsen

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Thank you very much for considering our concerns and objections.

Respectfully submitted by the neighbors and residents
near the requested Hallsville PID site near Route B/Parks Lane,

 SARA CRANE
 CHRIS PICKETT

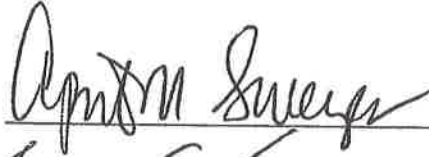

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Thank you very much for considering our concerns and objections.

Respectfully submitted by the neighbors and residents
near the requested Hallsville PID site near Route B/Parks Lane,

 April Sweeney
 Tim Sweeney

MOORE BUNTON,LLC
JIM AND BARB BUNTON , LARRY AND KAREN MOORE
ROUTE B RAIL SITE ANALYSIS

PURCHASED 50 ACRES FROM BOB AND JAN DARBY IN 2001.
SOLD 15 ACRES TO HALLSVILLE UNITED METHODIST CHURCH FOR NEW CHURCH
CONSTRUCTED OUR BEAUTIFUL NEW CHURCH

HELD THE REMAINING 35 ACRES(MORE OR LESS) SINCE THAT TIME TO PROTECT
THE CHURCH APPEARANCE AND OPERATIONS

TURNED DOWN SEVERAL IDEAS TO DEVELOP THE 35 ACRES AS RESIDENTIAL
MAINLY DUE TO OBSTACLES IN CONTROLLING RESIDENTIAL DEVELOPMENT

WE WERE APPROACHED BY REDI IN ABOUT 2020 AT THE REQUEST OF COLT RR AND
NORFORK AND SOUTHERN RR TO CONSIDER THIS AS POTENTIAL RAIL SITE

AFTER CONSIDERATION WE REACHED THE FOLLOWING CONCLUSIONS:

- 1 WITH THE LAND LOCATED IN A RELATIVELY NARROW STRIP BETWEEN
THE RAILROAD AND ROUTE B, SOME TYPE OF INDUSTRIAL USE WOULD
BE THE BEST USE OF THE LAND.
- 2 PLANNED LIGHT INDUSTRIAL ZONING PROVIDED A GOOD LONG-TERM
PROTECTION FOR OUR CHURCH SINCE ANY CHANGES TO THE PLAN WOULD
REQUIRE APPROVAL BY THE COUNTY ZONING PROCESS
- 3 AN ATTRACTIVE INDUSTRIAL DEVELOPMENT WOULD BE A BIG BENEFIT TO
OUR RAPIDLY GROWING SCHOOL SYSTEM BOTH IN INCREASED BONDING
CAPACITY AND ANNUAL PROPERTY TAX REVENUE.

AT THAT POINT, NORFORK AND SOUTHERN RR ENGINEERS DESIGNED THE SITE PLAN
WHICH IS THE BASIS FOR THIS REZONING REQUEST.
IT SEEMS TO US THAT THEY HAD A POTENTIAL PURCHASER IN MIND,
BUT, OF COURSE, IT WOULD BE PREMATURE TO DISCLOSE THAT INFORMATION
TO US UNTIL PRELIMINARY ZONING IS OBTAINED.

WE ,THEN, SCHEDULED A CONCEPT REVIEW WITH REPRESENTATIVES OF ALL COUNTY
DEPARTMENTS. ALL ENTHUSIASTICALLY ENDORSED THE PROJECT.
AT THIS CONCEPT REVIEW, THE FIRE CHIEF POINTED OUT THAT WE HAD
ADEQUATE WATER SOURCES FOR THE REQUIRED BUILDING SPRINKLER
SYSTEM AND THAT , DUE TO THE DISTANCE INVOLVED,WE WOULD NEED AN ACCESS
TO PARKS LANE FOR EMERGENCY VEHICLES,ONLY.

AT THAT POINT, WE DISCUSSED THE PROJECT WITH MODOT AND RECEIVED AN ASSURANCE THAT WE COULD BE GRANTED A DRIVEWAY ACCESS TO ROUTE B SUBJECT TO THE COMPLETION OF AN "IN DEPTH" TRAFFIC STUDY.

WE THEN ENAGAGED A TRAFFIC ENGINEER WHO CONDUCTED THE APPROPRIATE STUDY UNDER MODOT SUPERVISION. THE STUDY HAS SUBSEQUENTLY BEEN APPROVED BY MODOT AND BOONE COUNTY ENGINEERS.

MODOT IS NOT CONCERNED WITH INCREASED TRAFFIC ON ROUTE B ,PARTIALLY BECAUSE THEY HAVE PURCHASED THE NECESSARY RIGHT OF WAY TO MAKE ROUTE B A FOUR LANE ROAD AT THE APPROPRIATE TIME IN THE FUTURE.

REDI AND THE OTHER CITY DEPARTMENTS ARE ENCOURAGING THE DEVELOPMENT OF OUR SITE TO PROMOTE ECONOMIC DEVELOPMENT AND JOB CREATION IN THE AREA.

THE COLT AND NORFORK AND SOLUTHERN RAILROADS ARE ENCOURAGING THE DEVELOPMENT OF OUR SITE TO HELP ENSURE THE LONGTERM VIABILITY OF THE COLT RAILROAD OPERATIONS. FROM THEIR PERSPECTIVES, OUR SITE LOCATED BETWEEN THE RAIL LINE AND ROUTE B IS IDEAL FOR A FUTURE RAIL BUSINESS PARTNER.

THE BOONE COUNTY SEWER DISTRICT HAD PLANNED TO HAVE EXTENDED GRAVITY SEWER TO OUR SITE BY THE END OF 2024, BUT NOW THEY DO NOT ANTICIPATE HAVING THE SEWER COMPLETED BY THEN, SO WE ,MIGHT NEED TO RELY ON AN ON-SITE SYSTEM UNTIL IT IS DONE.

OUR CHURCH, NOW CALLED "PARK LANE COMMUNITY CHURCH" IS JOINING US IN THIS REZONING REQUEST AND THEY PLAN TO HAVE THEIR SEWER LAGOON REMOVED AND REPLACED BY OUR ON-SITE SEWER SYSTEM WHJICH WILL ULTIMATELY BE REPACED BY THE BOONE COUNTY SEWER LINE.

OBVIOUSLY THIS IS A PRELIMINARY REZONING REQUEST TO ALLOW US TO MARKET THE SITE TO POTENTIAL DEVELOPERS. MODIFICATIONS TO THE PLAN WILL LIKELY BE NECESSARY WHEN A PURCHASER/END-USER IS IDENTIFIED.

IN ANY SALE OF THE SITE

WE WILL INSIST ON AN ATTRACTIVE DEVELOPMENT WHICH WILL COMPLEMENT THE APPEARANCE OF OUR CHURCH AND WE WILL RECORD DEED RESTRICTIONS TO PROTECT OUR BEAUTIFUL CHURCH'S APPEARANCE AND OPERATIONS.



Boone County Commission
Public Comment Form

Agenda Item: <u>Conditional use permit For Little Bay Farm</u>		DATE: <u>11-12-24</u>
COMMITTEE: Boone County Commission		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
NAME		
INDIVIDUAL		
NAME: <u>Andrew McCasney</u>		PHONE NUMBER: <u>573 823 9132</u>
BUSINESS/ORGANIZATION NAME: <u>Little Bay Farm LLC</u>		TITLE: <u>Owner</u>
ADDRESS: <u>3205 E Cheavens Rd.</u>		
CITY: <u>Columbia</u>		STATE: <u>MO</u> ZIP: <u>65201</u>
EMAIL: <u>Figata Farms @ proton mail .com</u>	ATTENDANCE:	SUBMIT DATE: <u>11-12-2024</u>

I have no objections to the information in this application being made public. I do hereby certify that the information provided on this form is true and accurate.

We would like to adjust hours of operation
to allow for ~~having~~ occasional use of property
outside of normal operational times.