

TERM OF COMMISSION: April Session of the April 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  
Planner Uriah Mach  
Right-Of-Way Agent Natalie Meighan  
Deputy County Clerk II Audrey Kierstead

**Conference Call Information:**

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

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

**P&Z**

**1. Consent Agenda**

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

Regarding item 1, the consent agenda, all items were approved by consent and are presented for Commission receipt and acceptance. Director Florea requests that the Commission waive the reading of the staff reports and authorize the Clerk to insert them into the minutes of this meeting as if read verbatim.

**A. Barthel Subdivision Plat 2. A-2. S18/19-T47N-R12W. Melvin & Myrna Roberts, owners. Kevin Schweikert, surveyor.**

The property is located approximately 540 feet north of the intersection of South Barry Road and East Bluebird Lane. It is zoned Agriculture 2 (A-2) and is surrounded by A-2 zoning on all sides. An existing home, accessory building, and onsite wastewater lagoon are present on the property. The proposal is to subdivide the 10 acres identified as Lot 2 of Barthel Subdivision into two lots. The existing home, sheds, and wastewater lagoon will be contained on the proposed northern 5.79-acre lot. The proposed southern 4.21-acre lot is currently undeveloped.

The subject property has direct access onto South Barry Road, a publicly maintained roadway. The applicant has requested a waiver from the traffic study requirement. Creation of another single lot is likely to have minimal impacts on existing transportation infrastructure. Granting a waiver to the traffic study requirement is appropriate in this case.

Consolidated Public Water Supply District #1 provides water service in this area. An existing six-inch water line is present. Boone Electric Cooperative provides power service. The Boone County Fire Protection District provides fire protection in this area. The nearest station, Station 8, is approximately 4.4 miles away. The subdivision of existing Lot 2 will create the fourth platted lot from the parent parcel. Installation of fire protection in the form of hydrants will be required for this plat.

An onsite wastewater lagoon serves the existing home. The applicant has provided a wastewater exhibit showing a compliant lagoon location for the proposed undeveloped lot. The applicant has provided a written request for a waiver from the sewer cost benefit analysis. No public sanitary sewer facility is nearby to provide sewer service. It is unlikely that creation of an additional lot for single family residential development will be economically viable for a public sanitary sewer system. Granting a waiver from the sewer cost benefit analysis is appropriate in this case.

Lot 2 of Barthel Subdivision was vacated under County Commission order #141-2025 with the condition that the property is replatted and is recorded in the land use records of Boone County. The approval and recording of this plat will satisfy the condition of order #141-2025.

The property scored 33 points on the rating system.

Staff recommends approval of the plat and granting of waivers with the following condition:

1. Fire hydrant or hydrants are installed along South Barry Road before the plat can be received and accepted by the County Commission. The location of the hydrant must be to the satisfaction of the Boone County Fire Protection District, Consolidated Water, and the Director of Resource Management.

Commissioner Aldred moved now on this day that the County Commission of the County of Boone does receive and accept the plat, item A, as listed in the attached consent agenda

(Attachment A) and authorizes the Clerk to insert the associated staff report into the minutes of this meeting as if read verbatim.

Attachment A:

- A. Barthel Subdivision Plat 2, A-2, S18/19-T47N-R12W. Melvin & Myrna Roberts, owners. Kevin Schweikert, surveyor.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #182-2025**

**2. First Reading: Request by Darrell Flake and Eve Flake to vacate Lots 9 and 10 of Lake Capri Subdivision Block 2 as recorded in Plat Book 17 Page 35 of the Boone County Missouri Records. (open public hearing)**

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

A petition has been submitted by the following:

- Darrell & Eve Flake to vacate Lots 9 & 10 of Lake Capri Subdivision Block 2 found in Plat Book 17 Page 35 of the records of the Boone County Missouri Recorder of Deeds.

Lake Capri Subdivision Block 2 was recorded on August 17, 1983. The plat consists of fourteen lots on the north side of State Highway HH at the intersection of Hickory Drive and State Highway HH. Lots 9 and 10 are shown as slightly larger than 2.5-acres each, but the lots contain right-of-way for Hickory Drive, dropping the acreage to below 5-acres for both lots together. It is the intent of the petitioner to seek a rezoning and reconfigure the two lots into a larger one containing the existing structures and a smaller one for new construction. The total number of lots in the subdivision does not change.

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 around 2.5 acres with a few larger tracts. 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 not change the roadway but will dedicate some amount of right-of-way for Hickory Drive and Highway HH. With no additional lots created, there should be no additional traffic beyond that expected from the original plat.

Utilities and Property Values: The replat may trigger the installation of Fire Hydrants along the roadway. Central public sewer is available, which will help justify the requested rezoning. There is no indication that the vacation and replat will have any negative impact on the utilities, easements, or property values within 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. The vacation will only go into effect with the recording of the replat that is replacing the current plat. The proposed replat 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. The 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. No public comment forms were submitted for the record.

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 Bechtold Properties, LLC for a conditional use permit for a package delivery service in the General Commercial (C-G) zoning district on 160 acres located at 6385 W Hwy 40, Columbia. (open public hearing)**

Planner Uriah Mach read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at its March 20, 2025, meeting. A motion recommending approval was approved by a unanimous vote.

The property is located at the northwest corner of the intersection of I-70 and West Highway 40. The property is approximately 160 acres in size and split zoned with the following zoning districts:

- Commercial General (C-G)
- Light Industrial (M-L)
- Planned Commercial General (C-GP)
- Agricultural Residential (A-R)

The C-GP portion of the property was rezoned in 1989. The southwestern portion of the C-G zoning was rezoned in 1980. The M-LP portion of the property was rezoned in 2008. All other zoning is original 1973 zoning. The surrounding zoning is as follows:

- North, across Highway 40 – C-G
- East, across Highway 40 – C-G
- South, across I-70 – Agriculture 2 (A-2), Moderate Density Residential (R-M), and A-R
- West – Single Family Residential (R-S), Planned Single Family Residential (R-SP), A-R

The site is developed with several different commercial uses including a truck stop, fuel station, convenience store, consignment shop, retail sales, trailer sales, automotive repair, and motel. Onsite wastewater lagoons under the jurisdiction of the Department of Natural Resources provide sanitary sewer. An internal drive provides vehicular access to the various businesses via W Highway 40.

The proposal is to utilize a portion of the building addressed as 6385 W. Highway 40 for a small parcel delivery service. The applicant has provided a site diagram showing the building as the intended location for the delivery service. The building is located within the C-G portion of the property and is applying under the conditional use for a *wholesale establishment or warehouse in a completely enclosed building*.

The Boone County Master Plan designates this area as being suitable for commercial land uses. The subject property is located within Katy Township.

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) 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 developed in accordance with current County regulations, and with appropriate conditions, 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.

The proposed delivery service will be located within the interior of the Midway complex. The neighboring development to the west, Ravenwood, is approximately 1500 feet away. Utilization of the property for a delivery service is unlikely to create any negative impacts for the use and enjoyment of surrounding property owners.

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

Most of the property is zoned for commercial development with several businesses currently operating on site, including those catering toward tractor trailers and larger vehicles. The addition of a small parcel delivery service is unlikely to impact property values.

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

The property contains an existing driveway access onto West Highway 40, a publicly maintained roadway. An internal driveway allows vehicular access to various businesses contained within the property, including the proposed building for the small package service. An onsite wastewater lagoon system, permitted by the Missouri Department of Natural Resources, provides sanitary sewer for the property.

- (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.

Neighboring properties, such as Ravenwood to the west, have continued to develop in a normal and orderly fashion with the existence of Midway's commercial operations. The proposal is for a small package delivery service to utilize an existing building and commercial driveway entrance. The applicant has not proposed to increase the size of the building and will utilize the existing footprint.

- (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.

Traffic for the proposed business will utilize an existing commercial driveway entrance already in use for truck stop traffic. An exhibit provided by the applicant demonstrates that truck traffic for the business will utilize this entrance. Commercial loading spaces will be provided to service the truck traffic to the site. Any parking or drive surfaces for the delivery service must continue to comply with the dust-free minimum chip seal requirement of the zoning code.

- (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 conform to the applicable regulations of the zoning district that it is located in.

**Zoning Analysis:** This request is to allow a small parcel delivery service located in a C-G zoning district, that can be permitted as conditional use for a *wholesale establishment or warehouse in a completely enclosed building*. The addition of a delivery service within an established commercial node already catering to large truck traffic will likely have minimal impacts on surrounding property owners and future development of the site.

The proposal scored 73 points on the point rating system. Staff notified 57 property owners regarding this request.

Staff recommended approval of the request with the following conditions:

1. All drive and parking surfaces associated with the use of the delivery service maintain a dust-free surface, minimum chip and seal.
2. Any alterations or renovations to the building identified as 6385 W. Highway 40 are proposed by a design professional licensed to practice in the state of Missouri and completed under a building permit issued by the Director of Resource Management.
3. Any future enlargement of the building footprint identified at 6385 W. Highway 40 for the use of a small parcel delivery service will require a modified conditional use permit.

Commissioner Kendrick opened and closed the public hearing. No public comment forms were submitted for the record.

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 Mary Williams on behalf of Sinclair & Heather Lester to rezone from Agriculture 2 (A-2) and Recreation (REC) to A-2 on 7.07 acres located at 7601 W. Hwy 124, Harrisburg. (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 20, 2025, meeting. A motion recommending approval was approved by a unanimous vote.

The subject property is located off West Highway 124, approximately 750 feet west of the intersection of West Highway 124 and North Route E. The property is approximately 7.07 acres in size. The property is currently split zoned Agriculture 2 (A-2) within the northern portion and Recreation (REC) within the southern portion. An existing single-wide mobile home and onsite wastewater lagoon are present on the property. Both the single-wide mobile home and onsite wastewater lagoon are located within the area of the property zoned REC.

The surrounding zoning is as follows:

- North – A-2
- East – A-2
- South, across West Highway 124 – A-2
- West – A-2 and REC

All surrounding zoning is original 1973 zoning except for the neighboring property to the east. The eastern property was rezoned from REC to A-2 in 2022.

The proposal is to rezone the entire property from A-2/REC to A-2. This will allow the existing mobile home and onsite wastewater lagoon to come into compliance with the zoning ordinance for single-family dwelling.

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

Utilities: The property is located within the Public Water Supply District #10 service area. Boone Electric Cooperative provides power. An onsite wastewater lagoon is utilized for sanitary sewer. The property does not have access to public sewer.

Transportation: An existing driveway provides direct access to West Highway 124, a MoDOT maintained roadway.

Public Safety: The Boone County Fire Protection District provides fire protection for the area. The nearest station, Station 4, is approximately 0.6 miles away.

Zoning analysis: The proposal to rezone A-2/REC to A-2 meets the sufficiency of resources test. The rezoning to A-2 will allow the existing conditions of the single-wide mobile home and onsite wastewater lagoon to be compliant with the zoning ordinance. The change in zoning from REC to A-2 will match surrounding A-2 zoning and be consistent with neighboring development for a single-family dwelling.



The property scored 73 points on the rating system. Staff notified 15 property owners about this request.

Staff recommended approval of the rezoning request.

Commissioner Kendrick opened and closed the public hearing. No public comment forms were submitted for the record.

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 Fred Overton Development Inc to rezone to Planned Single-Family Residential (R-SP) and Planned General Commercial (C-GP) and to approve a Revised Review Plan and Preliminary Plat for Ravenwood on 57.3 acres located at 1948 N. Booker Dr., Columbia. (open public hearing).**

Planner Uriah Mach read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at its March 20, 2025, meeting. A motion recommending approval was approved by a unanimous vote.

The property is located on the east side of Rollingwood Boulevard, at the intersection of Rollingwood & US Highway 40. The property is currently vacant. It is approximately 57.3 acres in size and is split-zoned under a Planned Residential Single-Family (R-SP) and Planned General Commercial (C-GP) Final Plan. The surrounding zoning is as follows:

North – Planned Light Industrial (M-LP) and General Commercial (C-G)

South – R-SP and Agriculture-Residential (A-R)

East – A-R and C-GP

West - Neighborhood Commercial (C-N), Moderate Density Residential (R-M), Single-Family Residential (R-S) and R-SP

The Boone County Master Plan identifies this area as suitable for residential land uses.

The existing phasing plan identifies four remaining phases including construction of offsite improvements to US 40. This request is asking for the existing phasing plan to be modified and

a new phase, labeled 2B, to be added to take advantage of unexpected sewer availability. This Phase 2B is proposed to be carved out of Phase 3 and will allow construction of Renwick Circle and the development of 10 lots. The proposal does not change the density of the overall development.

The sufficiency of resources test was used to analyze the original rezoning and development proposal, and this proposed modification.

Utilities: The subject property is served by Consolidated Water, the Boone County Regional Sewer District for wastewater treatment, and Boone Electric for electrical service. The reconfiguration of this property was prompted by the discovery of additional availability in an existing Boone County Regional Sewer District facility. Phase 2B's development is possible because of this discovery. Further phases will be served by improvements identified in Phase 3.

Transportation: The proposal includes one new public street connection to US Highway 40. All lots within the development will have direct frontage on and direct access to the internal street network.

A traffic study was conducted by Crawford, Bunte, & Brammeier, a firm specializing in traffic analysis. The study recommended improvement of US Highway 40, specifically eastbound and westbound turn lanes at the access point for Hummons (previously identified as Renfield) Drive. The amount of traffic generated by the proposal would require Hummons Drive to US Highway 40 to be built to County Commercial standard along the proposed commercial lots, and then to a County Collector standard to Hummons' connection to Ravenwood Drive.

Proposed Phase 2B delays the construction of Hummons Drive, the connection to US Highway 40. This delay exacerbates an existing condition where the number of platted lots in the development exceeds the limit established in the Fire Code as adopted by Boone County Fire Protection District. In response to the needs of the District, a temporary secondary access for emergency access is proposed.

Design for the secondary emergency access will need to be approved by the Boone County Fire Protection District, The Missouri Department of Transportation, and the Director of Resource Management. This access will connect to US Highway 40 and be solely for fire/emergency access to the site until Hummons Drive is constructed.

The construction of Hummons Drive remains in Phase 3, along with the turn lanes on US Highway 40. The location of this temporary emergency access will be reflected on the Final Development Plan and it will be constructed as a part of Phase 2B as required infrastructure, prior to the approval of the Final Plat containing Phase 2B.

Per staff consideration of the existing conditions, sufficient transportation infrastructure exists to meet the needs of this proposal.

Public Safety: The property is approximately ½ mile to the west of the Midway Boone County Fire Protection District Station. Infrastructure upgrades to Consolidated Water facilities will be sufficient to provide fire flows to the property at required levels of service.

The original phasing plan proposed by this development was structured to meet the access point requirements of the Fire Code. Under this revision, a temporary access drive will be established to allow for connectivity and remoteness needs of the Fire Code to be met until the construction of Hummons Drive and associated turn lanes have been completed.

Stormwater: Stormwater is unaffected by the proposed change.

Zoning Analysis: The proposal is in an area described by the Boone County Master Plan as suitable for residential use. It is located to the east of an established residential area and the density is comparable to the density of that area. The availability of existing utility infrastructure, specifically sewer, and a major transportation node make this location suitable for development with reasonable investment in infrastructure improvements.

The phasing revision proposed in this plan creates a conflict with the Fire Code and its requirements for remote access points. Conditions are proposed, to mitigate the conflict, that require identification and construction of a temporary emergency-only gated access to US Highway 40 until Hummons Drive is built.

The property scored 73 points on the rating system.

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

1. The applicant shall submit a design for the fire/emergency access including both location and level of improvement for review and approval by the Director of Resource Management and the Boone County Fire Protection District with the Final Plan submittal.
2. The Final Plan of Phase 2B shall show a temporary gated fire/emergency access to the subject property that is acceptable to the Boone County Fire Protection District and the Director of Resource Management.
3. The Final Plat of Phase 2B shall show a temporary gated fire/emergency access to the subject property via US Highway 40 and that improvement shall be constructed prior to or as part of the required infrastructure for that final plat.

Commissioner Kendrick opened and closed the public hearing. No public comment forms were submitted for the record.

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.

### **Resource Management**

#### **6. Pipes Lane – Petition for Vacation of a Public Road**

Right-of-Way Agent Natalie Meighan stated Pipes Lane was established as an official County road with 30 feet of right-of-way granted by several members of the public. Ms. Meighan stated Boone County closed the road by Commission Order 227-2002 and there has not been discussion of maintenance since. Ms. Meighan stated a landowner and his daughter own every parcel on either side of the road except for the very first parcel. Ms. Meighan stated they would like to reconfigure the entrance onto Rocheport Gravel Road and would plan to maintain it as a private driveway if the Pipes Lane right of way is vacated.

Commissioner Kendrick stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the first Commission meeting of the July adjourned term with appropriate order for approval.

### **Purchasing**

#### **7. Second Reading: Award of Amendment #1 to Contract C000873 from Cooperative Contract 24823 for Police Radar, LIDAR and Accident Reconstruction with Applied Concepts, Inc. dba as Stalker for the Boone County Sheriff's Office – First Read 03.27.25**

Commissioner Thompson moved now on this day that the County Commission of the County of Boone does hereby approve the award of Amendment #1 to County Contract C000873 awarded from Cooperative Contract 24823 for Police Radar, LIDAR, & Accident Reconstruction with Applied Concepts, Inc. dba Stalker of Richardson, Texas, for the purchase of a radar trailer for the Boone County Sheriff's Office. The 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 #183-2025**

#### **8. Second Reading: Award of Amendment #1 to Contract C000257 from RFP 40-16OCT17 for the Detainee Telephone System with ICS Corrections, Inc. for the Boone County Sheriff's Office – First Read 03.27.25**

Commissioner Aldred moved now on this day that the County Commission of the County of Boone does hereby approve the award of Amendment #1 to County Contract C000257 awarded from RFP 40-16OCT17 for the Detainee Telephone System provided by ICS Corrections, Inc. of San Antonio, Texas, 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 Thompson seconded the motion.  
The motion carried 3 to 0. **Order #175A-2025**

**9. Second Reading: Surplus Disposal – First Read 03.27.25**

Commissioner Thompson moved now on this day that the County Commission of the County of Boone does hereby approve the attached list of Surplus Disposal.

Commissioner Aldred seconded the motion.  
The motion carried 3 to 0. **Order #184-2025**

**Commission**

**10. Public Comment**

None

**11. 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