

TERM OF COMMISSION: April Session of the February Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper  
District I Commissioner Karen M. Miller  
District II Commissioner Linda Vogt  
Deputy County Clerk Ashley Williams  
Planning and Building Inspections Director Stan Shawver  
County Counselor John Patton

The regular meeting of the County Commission was called to order at 7:01 p.m.

**SUBJECT: Request by Joseph B. Mahan III to rezone from A-1 (Agriculture) to A-2 (Agriculture) of 57.8 acres, more or less, located at 6350 S. Sinclair Rd., Columbia**

Planning and Building Inspections Director Stan Shawver reported that the property is located on Sinclair Road, approximately 1/4 mile southwest of the Columbia municipal limits. The property is zoned A-1 (Agriculture). Property to the east is zoned R-S; to the south and west is zoned A-2; property to the north is zoned A-1 and A-2. The applicant is requesting that this property be rezoned to A-2. There are two houses on the property. This property is within the Columbia School District. Water service is provided by Consolidated Public Water District No. 1. Electric service is provided by Boone Electric Cooperative. Gas service is available. There have been no previous requests submitted on behalf of this property. The Master Plan designates this area as being suitable for residential land uses. The proposed zoning change is consistent with the Master Plan and has 65 points on the point rating scale. Staff notified 40 property owners concerning this request. Mr. Shawver said there had been some concerns regarding runoff, but said that runoff is not a factor in a rezoning request. Planning & Zoning approved the request unanimously.

Commissioner Stamper asked for a description of intended use.

Mr. Shawver replied it would be a development.

The applicant, Joseph B. Mahan and Mr. Bill Crockett, Crockett Engineering, addressed the Commissioners.

Mr. Crockett, 1414 Rangeline Road, said that Mr. Mahan was interested in subdividing his house on a 7-8 acre tract and wanted to develop the remaining property in major tracts from 2 1/2 acres to 7 acres. That plan, he said, would fit with the neighborhood and with the zoning and he felt that this request would be for the highest and best use of the property.

Commissioner Stamper convened to a public hearing; no one testified and the hearing was closed.

Commissioner Vogt said that the request seemed reasonable since the property was surrounded by ground with higher zoning.

Commissioner Stamper asked about the corridor and if realigning Sinclair Road near University property would be limited by the rezoning.

Mr. Crockett replied that there is a jog in the road in plat ownership, but the road does not follow that jog in order to remove a dangerous 90 degree corner. Mr. Crockett said the road needed some additional realignment to comply with County standards for curvature, but that the request was not to approve a plat, it was a rezoning request.

Commissioner Miller moved that the County Commission of the County of Boone approve a request by Joseph B. Mahan III to rezone from A-1 (Agriculture) to A-2 (Agriculture) of 57.8 acres, more or less, located at 6350 S. Sinclair Road, Columbia.

Commissioner Vogt seconded. Motion passed unanimously. **Order 162-97.**

**SUBJECT: Request by John and Valerie Pagano to approve a Review Plan for Pagano Place Planned Residential development, a two lot development on 10.31 acres, located at 9950 W. Route O, Rocheport**

Mr. Shawver reported that the property is located on State Highway O, approximately 4.2 miles west of Columbia. The property is zoned A-2 (Agriculture), as is all of the surrounding property. The 12.63 acres included in this development are proposed as a Planned Residential Development with a density of two residential units. There are two dwellings on the site, a house and a modular home. The building permit for the house was issued in August 1994 with the provision that the modular home was to be removed upon completion of the house. The house was completed, however, the owners were unsuccessful in selling the unit. In addition, there were problems associated with trying to move the modular home to the second tract that the applicants owned. A solution to this difficulty is to convert the property to a Planned Residential Development, which will allow the modular home to remain in place. There have been no previous requests submitted on behalf of this property. There will be no impact on utilities. The Master Plan designates this area as being suitable for agriculture and rural residential land uses. The request is consistent with the Master Plan. This property has 38 points on the point rating scale and staff notified 16 property owners concerning this request. Mr. Shawver said that one neighboring property owner questioned an increase in density, but was assured this was not the case, this was a practical move.

Tract 3 is not able to be developed due to its location on a curve and the fact that there's a sink hole on the tract left Tract 2 as the only lot that can be developed.

Commissioner Stamper convened a public hearing; no one testified and the hearing was closed.

Commissioner Miller moved that the County Commission of the County of Boone approve a Review Plan for Pagano Place Planned Residential Development, Tracts 2 and 3, for a two lot development on 10.31 acres, located at 9950 W. Route O, Rocheport.

Commissioner Vogt seconded. Motion passed unanimously. **Order 163-97.**

**SUBJECT: Sunny Acres Subdivision. S30-T49N-R14W. A-2 Gene Sandner and Darrell Seltsam, owners. James Brush, surveyor**

Mr. Shawver reported that the one lot subdivision is located a little over one mile north of the city of Rocheport on Rocheport Gravel Road and is in an original 1973 A-2 zoning district. Consolidated Water District #1 has an existing 4" water main across the road from this plat and a request for a waiver of the sewer system cost benefit analysis and the traffic analysis has been submitted. A suitable area for an on-site sewage lagoon is shown on the plat. The plat has 28 points on the point rating scale. Staff supports the request for the waivers of traffic analysis and sewer cost benefit analysis and recommends approval. Planning and Zoning unanimously approved the request.

Commissioner Vogt moved that the County Commission of the County of Boone receive and accept a plat for Sunny Acres Subdivision. S30-T49N-R14W. A-2 Gene Sandner and Darrell Seltsam, owners; and authorize the Presiding Commissioner to sign it.

Commissioner Miller seconded. Motion passed unanimously. **Order 164-97.**

**SUBJECT: Update Major Thoroughfare Plan for Columbia Metro Area**

Mr. Shawver reported that the City of Columbia has seen a lot of development proposed in the area of Ballenger Lane and State Highway PP and are concerned that if they don't get a plan line on the Major Thoroughfare Plan they will not be able to acquire right-of-ways as development takes place. Available sewer in the area has attracted developers and the proposal is to amend the plan to extend Ballenger Lane across I-70 to an intersection with Richland Road. The proposed amendment is entirely within the city limits and they are not proposing an interchange on I-70. This amendment, he said, would not require that proposed highway 740 take that route. Planning

and Zoning approved the amendment unanimously and said the only reason the Commission needed to approve the amendment was because the Major Thoroughfare Plan is a joint plan.

In response to a question from Commissioner Stamper, Mr. Shawver said there is a tremendous amount of congestion on Highway PP. Commercial development like Home Depot, Hampton Inn and the Cracker Barrel continues to grow and cause traffic problems. The extension would allow people to bypass that area and get onto Broadway.

Commissioner Miller was concerned about the extension, but said it was too short for 740.

Mr. Shawver said that it was 15 years too late to consider the roadway as part of the 740 extension.

Commissioner Stamper convened to a public hearing; no one testified and the hearing was closed.

Commissioner Stamper noted that two members of the media and one member of the public was present for the hearing. He also questioned the wisdom of adding roads to the Major Thoroughfare Plan with the current funding restraints, but understood the problems of congestion due to the land use.

Commissioner Miller moved that the County Commission of the County of Boone accept the amendment to the Major Thoroughfare Plan as presented, showing the extension of Ballenger Land and authorize the Presiding Commissioner to sign it.

Commissioner Vogt seconded. Motion passed unanimously. **Order 165-97.**

Commissioner Stamper questioned the current projected alignment of Stadium and asked Commissioner Miller to comment on that concern at the next CATS meeting. He also inquired about the extension of Scotts Boulevard and Route K as being included in the Major Thoroughfare Plan.

Mr. Shawver said that when the technical committee of CATS met in March they considered 15-20 changes to the plan, one of which was the extension of Scotts Boulevard to Route K. It was his understanding that there would be additional discussion regarding those issues and the city staff expects a package to come up for consideration in mid to late summer.

Commissioner Stamper said there had been speculation of a subdivision request on both sides of Route K and said it would behoove the County to have the public thoroughfare on the master plan.

Commissioner Vogt reminded everyone that the Major Thoroughfare Plan was just a plan, subject to many changes.

**SUBJECT: Vote to hold closed meeting**

Commissioner Miller moved that the County Commission of the County of Boone authorize a closed meeting immediately following the 7 p.m. April 29, 1997 Planning and Zoning meeting pursuant to RSMo. 610.021 (1) to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys; and as authorized by RSMo. 610.021 (2) to discuss leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.

Commissioner Vogt seconded. Motion passed unanimously. **Order 166-97.**

**SUBJECT: Reports from Commissioners**

Commissioner Stamper reported that he had met with Boone County Fire Protection District Fire Chief Paulsell to discuss the gas leak that resulted in a recent fire in Boone County. He reported

that the scene was handled in a stable manner and all entities did a good job. He learned that the gas company flies over the pipe line twice a month, monitoring changes in vegetation that might suggest a gas leak. The lines are also monitored on a moment-by-moment basis and at any change in pressure things are shut down. Some of the pipes have been in the ground for 40 to 50 years and none of the pipes in question were found to have been corroded. Portions of the pipe are currently in Houston being analyzed and tested by metallurgists.

Commissioner Miller said it would be a good idea for the Planning and Building Inspections staff to alert developers of pipe lines running through their developments. She said that information was on their deed to the property, but thought that staff might want to remind them of the potential dangers involved in building near the pipe lines.

Commissioner Stamper reported he had received a letter from the City of Ashland requesting a six-month extension for a street work project using remaining funds from the 1995 grant of \$26,500. The project has been bid out and construction should begin soon, weather permitting.

Commissioner Stamper moved that the County Commission of the County of Boone approve a request from the City of Ashland granting them a six-month extension to finish a street work project on the remaining 1995 grand funds of \$26,5000.

Commissioner Miller seconded. Motion passed unanimously. **Order 167-97.**

Commissioner Miller reported her trip to Washington D.C. concerning the reauthorization of ISTEA was successful. She said her part of the program dealt with the lack of input by rural county officials into the planning and project selections of road projects in their given areas. She also reported that there was a proposal on the reauthorization of ISTEA to eliminate the current bridge funds program and rolling those monies into a giant block grant. Commissioner Miller said that 51% of the bridges in Missouri are substandard, not so unsafe that they couldn't be crossed, but needed restrictions on weight limits.

The meeting adjourned at 7:30 p.m.

Attest:

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Don Stamper  
Presiding Commissioner

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Wendy S. Noren  
Clerk of the County Commission

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Karen M. Miller  
District I Commissioner

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Linda Vogt  
District II Commissioner