

TERM OF COMMISSION: September Session of the August Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper
District I Commissioner Karen M. Miller
County Counselor John Patton
Deputy County Clerk Ashley Williams

The regular meeting of the County Commission was called to order at 7:00 p.m.

SUBJECT: Request by Blue Acres, Inc. to add 16 mobile homes to Blue Acres Mobile Home Park, located at 4001 S. Ponderosa St., Columbia

Director of Planning & Zoning Stan Shawver gave the staff report. The property is located adjacent to the Columbia city limits, directly south of Nifong Park. The property is zoned R-M (Moderate Density Residential) as is property to the east and south. Property to the west is zoned A-1 (Agriculture). City zoning to the north is classified as A-1. There is a 97 unit mobile home park on the site that was there prior to county zoning. This request is for a conditional use permit to add 16 additional units to the park. The addition will require street construction and other infrastructure improvements. The wastewater system is connected to the City of Columbia sanitary sewer. The R-M zoning is the original zoning for this site. In 1976, a conditional use permit was granted that allowed the addition of 15 units, bringing the density up to the current 97 units. In 1987, .84 acres were rezoned to C-G. The existing density level is 5.2 units per acre. The additional 16 units will increase the density to 6.2 units per acre, well below the permissible multifamily density of 17 units per acre. The master plan designates this area as being suitable for residential land uses. The proposed use is consistent with the plan. Staff notified 9 property owners about this plan. Planning & Zoning Commission unanimously recommended approval.

Eddie Sachs, president of Blue Acres, Inc. and owner of Blue Acres Mobile Home Park, 6250 Gilmore Lane, Ashland, Mo. echoed the staff report.

Commissioner Stamper convened a public hearing and no one spoke in favor or in opposition and the public hearing was closed.

Commissioner Miller moved that the County Commission of the County of Boone approve the request by Blue Acres, Inc. to add 16 mobile homes to Blue Acres Mobile Home Park, located at 4001 S. Ponderosa St., Columbia.

Commissioner Stamper seconded. Motion passed unanimously. **Order 363-97.**

SUBJECT: Request by Winifred B. Horner Trust to rezone from A-1 (Agriculture) to A-2 (Agriculture) of 134 acres, more or less, located at 4500 S. Rolling Hills, Columbia

Mr. Shawver reported that the property is located 2 miles southeast of Columbia on Rillings Hills Rd., just east of the University South Farms. This property is zoned A-1. The majority of the surrounding land is zoned A-1, except a 5 acre parcel located at the northwest corner of this tract, which is zoned A-2. There are no structures on this tract of land, which is wooded, with some use as pasture. This site is within the Columbia school district and Consolidated Public Water District No. 1's service area. The master plan designates this area as being suitable for residential land uses. This request is consistent with the master plan. The A-1 zoning is the original designation for this tract. In 1979, the 5 acre parcel mentioned earlier was rezoned from A-1 to AA-2. This property has 43 points on the Point Rating Scale. Staff notified 7 property owners concerning this request. Planning & Zoning Commission unanimously moved to recommend.

Commissioner Stamper welcomed former Commissioner David Horner to the chambers.

Mr. Horner said that the tract had been very unproductive. Most of the land is cedar brush, with a small area of trees and an abandoned strip mine. The mine had been operated by a man named Grooms, back in the early 1950s. The Horner's have owned the land for 41 years and are now ready to do something other than farm it. Mr. Horner mentioned the housing development on

New Haven Road where the lots were 2-3 acre tracts and said that he would like to do something similar in the future.

Commissioner Stamper convened a public hearing and no one spoke in favor or opposition and the public hearing was closed.

Commissioner Miller moved that the County Commission of the County of Boone approve a request by the Winifred B. Horner Trust to rezone from A-1 (Agriculture) to A-2 (Agriculture) of 134 acres, more or less, located at 4500 S. Rolling Hills, Columbia.

Commissioner Stamper seconded. Motion passed unanimously. **Order 364-97.**

SUBJECT: Valley Creek PRD - replat of lots 75, 76, 80. S3-T48N-R12W. R-M. Alan Lynch Construction Co. or Kevin Higdon, owner. James V. Patchett, surveyor.

Mr. Shawver reported that each of these two lot minor plats are a proposal to split the original parent lot first platted as a lot in Valley Creek Subdivision Plat 8, recorded in plat book 31 on page 31 of the Boone County Records. Additionally, each of these lots is contained within the area designated on the approved final plan for Valley Creek PRD. All of the lots are on the north side of Trikalla Drive. The property is zoned R-M PRD (Residential Moderate Density), the R-M underlying zoning is the original 1973 zoning. The Planned Residential Development was approved in April of 1997. The structures on each of these lots are designated as single family attached residences, and as such, must meet a higher building code standard than a traditional duplex which externally these units resemble. These plats represent the final stage of the plan as initially presneted for these lots as part of the PRD. Water service is provided by th eCity of Columbia. Central sewage treatment will be fromthe BCRSD. The owner has requested a waiver of the requirement for traffic analysis. Staff concurs with this request and recommends that the waiver be granted. This plat has 80 points on the point rating scale. The Planning and Zoning Commission unanimously recommended approval.

Commissioner Miller moved that the County Commission of the County of Boone receive, accept and authorize the Presiding Commissioner to sign the Valley Creek PRD replat of lots 75, 76 and 80. S3-T48N-R12W. R-M. Alan Lynch Construction, Co. or Kevin Higdon, owner. James V. Patchett, surveyor.

Commissioner Stamper seconded. Motion passed unanimously. **Order 365-97.**

SUBJECT: Algieri Subdivision. S8-T48N-R11W. R-M. Lindell Algieri, owner. James W. Brush, surveyor.

Commissioner Miller moved that the County Commission of the County of Boone receive, accept and authorize the Presiding Commissioner to sign the plat for Algieri Subdivision. S8-T48N-R11W. Lindell Algieri, owner. James W. Brush, surveyor.

Commissioner Stamper seconded. Motion passed unanimously. **Order 366-97.**

SUBJECT: Annual Renewal of the E911 Tax

Commissioner Stamper moved that the County Commission of the County of Boone set the E911 tax levy at 2% of the tariff rate, the level at which it is currently maintained.

Commissioner Miller seconded. Motion passed unanimously. **Order 367-97.**

SUBJECT: Request by Lewis and Judy Lancaster on behalf of Ameritech Cellualar Service for a cellular transmission facility, including a 180' tower, located at 6451 N. Rangeline Rd., Columbia

Mr. Shawver reported that the property is located approxmiately 3 miles east of Columbia, just southwest of the I-70 and Route Z interchange. The site contains 28.91 acres, however, the proposed land use will comprise a very small portion of the tract. This site is zoned M-L (Light

Industrial) as is all of the adjoining land. This request is a conditional use permit. It should be noted that the proposed use is a "transmission facility," which is a permitted use in the M-L zoning district. However, the regulations provide that any structure taller than 100 feet, must have a conditional use permit. The proposed "transmission facility" will include a 180' monopole tower. There is an extensive zoning history attached to this property. Originally zoned M-L in 1973, the tract was rezoned to REC for a softball complex in 1981. At that time, a conditional use permit was also issued for a concession stand to serve the complex. In 1986, a second conditional use permit was issued for a trap and skeet shooting range. In 1991, a third conditional use permit was issued for a trap and skeet shooting range. In 1991, a third conditional use permit was issued for a go cart track. Finally, in 1993, 20 acres of the original 30 was rezoned back to M-L, leaving the area encompassing the ball fields as the only remaining REC zoned area. The Master Plan designates this area as suitable for industrial uses. The proposed use is consistent with the plan and staff notified 17 property owners. Planning and Zoning Commission unanimously approved the request.

B. Steve Kissel, Manager of Real Estate and Construction for Ameritech and Dennis Paul, Site Location Consultant for Prime Site International approached the Commission.

Mr. Kissel said that Ameritech had made every attempt to meet or exceed the County ordinance and had approached the site from a land planning stand point. They liked the fact that the site is set back from property owners and that there are other vertical elements that help visually hide the monopole tower as much as possible. Ameritech had also signed on U.S. Cellular as a second user of the tower. U.S. Cellular will colocate on the tower with a platform at 160 feet. Mr. Kissel said that Ameritech was currently negotiating with U.S. Cellular for a colocation possibility on the western side of the County. Ameritech, he said, will provide landscape screening on the north side and clarified that there will be almost no traffic generated by the tower, excepting the monthly maintenance worker. He said the tower meets the fall zone and is engineered to be the last thing standing, should there be high velocity winds. If it does fall over, and to date no monopole tower has fallen, it will fall over on itself.

Commissioner Miller asked what would happen to the site if Ameritech no longer needs the tower.

Mr. Kissel said that the tower would be removed if Ameritech and U.S. Cellular were no longer using it and they would also remove the foundations below grade. Mr. Kissel commended the Commissioners on their ordinance regarding wireless providers. He said that Boone County's ordinance is the most extensive, but also the fairest and simplest to understand.

Commissioner Stamper convened a public hearing; no one spoke in favor or opposition and the hearing was closed.

Commissioner Miller thanked the Ameritech representatives for locating a site that works within the County.

Commissioner Miller moved that the County Commission of the County of Boone approve a request by Lewis and Judy Lancaster on behalf of Ameritech Cellular service for a cellular transmission facility, including a 180' tower, located at 651 N. Rangeline Rd., Columbia.

Commissioner Stamper seconded. Motion passed unanimously. **Order 368-97.**

SUBJECT: Temporary Position in Public Works Department

Commissioner Stamper moved that the County Commission of the county of Boone authorize a temporary position in the Design & Construction budget (organization 2045) to meet administrative demands in the current 1997 budget year and the 1998 budget year.

Commissioner Miller seconded. Motion passed unanimously. **Order 369-97.**

SUBJECT: Reports from Commissioners

Commissioner Miller moved that the County Commission of the County of Boone approve an agreement with the University of Missouri-Columbia for a one-day use of the Tiger Lounge for the West Central Commissioners Association luncheon.

Commissioner Stamper seconded. Motion passed unanimously. **Order 370-97.**

Commissioner Miller moved that the County Commission of the County of Boone appoint Mary Hentges to the Private Industry Council for this year's term.

Commissioner Stamper seconded. Motion passed unanimously. **Order 371-97.**

Commissioner Stamper gave the Public Works Department report.

He also reported on a petition regarding a Planning & Zoning violation at 8703 South Hwy. 63 with an attached petition. Mr. Shawver said the issue had been brought to his attention and his department was processing the complaint.

Commissioner Miller reported she had attended the Bonne Femme watershed workshop and that it had been well attended.

The meeting adjourned at 7:45 p.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

ABSENT
Linda Vogt
District II Commissioner