

TERM OF COMMISSION: October Session of the October Adjourned Term

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

PRESENT WERE: Presiding Commissioner Kenneth M. Pearson
District I Commissioner Karen M. Miller
Director of Planning and Building Stan Shawver
County Counselor C.J. Dykhouse
Deputy County Clerk Josh Norberg

The meeting was called to order at 7:00 p.m.

Planning and Zoning

1. Request by Glendale Family Company LLC on behalf of Stacy and Kent Swala to rezone from A-1 (Agriculture) to A-1P (Planned Agriculture) and approve a Review Plan for Glendale Stables on 10.31 acres, more or less, located at 4700 N. Glendale Dr., Columbia

Mr. Shawver stated the subject property is located on Glendale Drive, north of Mexico Gravel Road, east of Route Z. The applicant is seeking to rezone 10.31 acres of approximately 152 acres from A-1(Agriculture) to A-1P(Planned Agriculture). The property included in this rezoning will be reconfigured under a new minor plat and concurrent administrative survey to resolve some prior land division inconsistencies and keep the stable structures on the appropriate tracts. The property is surrounded by A-1 zoning, all of which is original 1973 zoning.

The purpose of this planned rezoning is to divide the property into one 2.50 acre lot, upon which a house is being constructed under permit, and a 7.50 acre lot which will be reserved for agricultural activity. The agricultural activity is expected be consistent with the current use of the property, and the 7.50 acre tract will be held by the Glendale Family Company LLC. The 2.50 acre tract will be transferred to the Swalas as their home site.

The Master Plan designates this property as suitable for agricultural and rural residential land uses. The Master Plan also identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal.

The resources necessary to serve the proposed development can be broken down into 3 general categories; utilities, transportation, and public safety services.

Utilities: This property is served by Public Water Service District #9, Boone County Fire Protection District, & Boone Electric Cooperative. This rezoning will not noticeably increase demand on available public utilities. The City/County Health Department has approved of the on-site wastewater situation between the revised administrative survey lot to the south of this property and the property being rezoned, and has taken steps to ensure compliance with the

appropriate regulations.

Transportation: Access to this property is via Glendale Drive. The rezoning will not increase traffic to this site.

Public Safety: This property is in excess of five miles from the nearest fire station, which would be on Clark Lane near the city limits of Columbia. This rezoning will not significantly increase risk or require additional service beyond that which is already provided or needed for the current use of the property.

Zoning Analysis: This rezoning request is consistent with the overall goal of the zoning regulations. Taking advantage of the of the available but unused density of the A-1 zoning of this property to create a smaller lot while reserving the majority of the subject tract for the large lot agricultural activity currently in evidence is consistent with the overall purpose of planned districts.

Staff recommends approval of the request.

Mr. Shawver stated the Planning and Zoning Commission conducted a public hearing on this request on October 16. There were eight members present. Following the hearing a motion was made to recommend the approval of the rezoning request. That motion received unanimous support. A motion was also made to recommend the approval the review plan. That motion received unanimous support. It comes forward with a recommendation for approval.

Commissioner Pearson opened the public hearing and asked for comments in favor of this request.

Nate Kohl, 1080 Rte Y, Harrisburg

Mr. Kohl stated he is the surveyor for this project. He stated he thinks this is a fine idea, and he is here for any questions.

Commissioner Miller stated it is pretty straightforward and it is exactly what we requested of another party to do for a family transfer.

Commissioner Pearson stated he made the same observation. This is the proper way to do this kind of thing.

Commissioner Pearson asked for further comments in favor of this request.

There were no further comments in favor of this request.

Commissioner Pearson asked for comments in opposition to this request.

There were no comments in opposition.

Commissioner Pearson closed the public hearing.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby **approve** the request by Glendale Family Company LLC on behalf of Stacy and Kent Swala to rezone from A-1 (Agriculture) to A-1P (Planned Agriculture) on 10.31 acres, more or less, located at 4700 N. Glendale Dr., Columbia.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 499-2008**

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby **approve** the request by Glendale Family Company LLC on behalf of Stacy and Kent Swala to approve a Review Plan for Glendale Stables on 10.31 acres, more or less, located at 4700 N. Glendale Dr., Columbia.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 500-2008**

2. Request by Robert and Donna Bechtold Trust to rezone from C-G (General Commercial) to M-L (Light Industrial) on 3.07 acres, more or less, located at 6401 W. Hwy 40, Columbia

Mr. Shawver stated this portion of the parent parcel containing the requested zoning change is located at the immediate northwest corner of the intersection of I-70 and US Hwy 40. The area of the rezoning is approximately 3.07 acres of the 19 acre parent parcel. The site is approximately 1.5 miles west of the nearest municipal limits of the City of Columbia. The current zoning of the property proposed for rezoning is C-G (general commercial) as is all the surrounding property and these are all original 1973 zonings. The subject property contains inconsequential buildings and shipping containers associated with a fireworks distribution business. The property is located in Consolidated Public Water District #1. The district currently has a watermain of at least 8" serving the area. Fire hydrants will be required due to the commercial or industrial uses of the site. The large sewage lagoon immediately south of the requested rezoning serves as the wastewater system. The site is in the Boone Electric service area and Boone County Fire Protection District service area. The site is within the Columbia Public School District. The proposal rates 83 points on the point rating scale. The master plan designates this area as being suitable for commercial uses; however, several of the traditional uses of this site are more

commonly associated with light industrial zoning types than those commonly associated as purely commercial. Therefore, the request is arguably consistent with the master plan and generally in keeping with the existing character of the area. The remainder of the parent parcel and surrounding additional parcels remain commercially zoned and can be considered a limited type of buffer to the requested industrial zoning. Staff notified 18 property owners concerning this request.

The Master Plan calls for the use of a “Sufficiency of Resources Test” when considering the rezoning of land. The purpose of the test is to determine whether there are sufficient resources available to support the proposed zoning, or whether services could be made available in an efficient manner. The resources necessary to serve the proposed development can be broken down into 3 general categories, utilities, transportation and public safety services.

Utilities: This site is served by Boone Electric Cooperative and Consolidated Public Water District 1. There is at least an 8” watermain at the site currently. Any new structures constructed will have to meet fire district approval for hydrants and fire protection. The site has a collector wastewater lagoon system that serves the varied uses of the site.

Transportation: Access to the site is from US Highway 40. The total property has 3 entrances onto the highway.

Public Safety: The nearest fire station is $\frac{3}{4}$ of a mile up Highway 40 to the northwest.

The request requires roughly the same resources as the existing zoning and would more accurately reflect the traditional uses of the property. Therefore, staff recommends approval of the request.

Mr. Shawver stated the Planning and Zoning Commission held a public hearing on this request on October 16. Following the hearing, a motion was made to recommend approval of this request. That motion received unanimous support and it comes forward with a recommendation for approval.

Commissioner Pearson opened the public hearing and asked for comments in favor of this request.

Spencer Haskamp, 3100 Appalachian Dr., Columbia

Mr. Haskamp stated this request is pretty straightforward and he is here to answer any questions the Commission might have.

Commissioner Pearson asked for further comments in favor of this request.

There were no further comments in favor of this request.

Commissioner Pearson asked for comments in opposition to this request.

There were no comments in opposition to this request.

Commissioner Pearson closed the public hearing.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby **approve** the request by Robert and Donna Bechtold Trust to rezone from C-G (General Commercial) to M-L (Light Industrial) on 3.07 acres, more or less, located at 6401 W. Hwy 40, Columbia.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 501-2008**

3. Receive and Accept Subdivision Plats

Mr. Shawver stated Brandywine Creek is a two lot subdivision on Hwy 63 South. It is zoned A-2. They had to get a variance from the Board of Adjustment for the existing barn that they wanted to allow to remain on there.

Mr. Shawver stated Conrad Remnant is Darlene Strawn's property that was rezoned a couple of months ago. It is also a two lot subdivision.

Mr. Shawver stated Shady Brook Estates is one lot on Mr. Zion Church Road.

Mr. Shawver stated Starshine and Starshadow are both one lot.

Planning and Zoning approved these plats; they met all of the requirements. They are ready to be received and accepted by the County Commission with an authorization for the Presiding Commissioner to sign them.

Commissioner Miller stated there are four other plats on the agenda.

Mr. Shawver stated he is waiting on signatures on the originals. They met all the requirements, they just needed signatures. They can be approved and when they come in they can be signed by the Presiding Commissioner.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plats and authorize the presiding commissioner to sign them:

Brandywine Creek. S15-T47N-R12W. A-2. Peter and Donna Grathwohl, owners. J. Daniel Brush, surveyor.

Conrad Remnant. S28-T50N-R14W. A-2. Darlene Strawn, owner. Nathanael E. Kohl, surveyor.

Phillippe Remnant. S11-T49N-R13W. A-R. Mary Phillippe, owner. Nathanael E. Kohl, surveyor.

Shady Brook Estates Plat 3. S34-T50N-T12W. A-2. George E. James, owner. James V. Patchett, surveyor.

Starshine. S26-T50N-R12W. A-2. Davies Farm III LLC, owner. Brian David Dollar, surveyor.

Starshadow. S26-T50N-R12W. A-2. Davies Farm IV LLC, owner. Brian David Dollar, surveyor.

Addison Ridge Estates. S18-T49N-R13W. A-2. Addison River Farms LLC, owner. J. Daniel Brush, surveyor.

Tara North. S35-T51N-R13W. A-2. Ronald and Teri McBee, owners. J. Daniel Brush, surveyor.

Callahan Crossing. S30-T49N-R13W. A-2. Addison River Farms LLC, owner. David T. Butcher, surveyor.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 502-2008**

Facilities Maintenance

4. Change Order #1 – Replacement Trane Chiller Compressor (first and second reading)

Commissioner Pearson stated this change order is occurring because they were going to recover the Freon and when they started that process, they found out it was contaminated by the oil from the compressors.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve Change Order #1 with Air Systems LLC for the Replacement Trane Chiller Compressor in the amount of \$2,547.00. It is further ordered the Presiding Commissioner is hereby authorized to sign said change order.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 503-2008**

Purchasing

5. 100-2008 – Drug and Alcohol Testing Services (first read on 10/23/08)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby authorize the utilization of the City of Columbia cooperative contract for Drug and Alcohol Testing Services with Mid-Missouri Drug Testing of Ashland, Missouri. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 504-2008**

6. Amendment Number Three – 55-27SEP05 – Electronic Monitoring Systems and Equipment (first read on 10/23/08)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve Amendment Number Three – 55-27SEP05 – Electronic Monitoring Systems and Equipment. It is further ordered the Presiding Commissioner is hereby authorized to sign said amendment.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 505-2008**

7. Budget Revision for Advertising (first read on 10/23/08)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget revision to cover the cost of advertising Sole Source purchases:

Department	Account	Department Name	Account Name	Decrease	Increase
1118	10100	Purchasing	Salaries & Wages	\$500.00	
1118	84300	Purchasing	Advertising		\$500.00

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 506-2008**

Miscellaneous

8. Change Order and Budget Revision for Courthouse Expansion Project

Commissioner Miller stated this is to extend the project an additional month.

Commissioner Pearson moved on this day the County Commission of the County of Boone does hereby approve the following budget revision and change order for the Courthouse Expansion Project with S.M. Wilson. It is further ordered Commissioner Karen M. Miller is hereby authorized to sign said change order.

Department	Account	Department Name	Account Name	Decrease	Increase
4061	71201	Courthouse Expansion	Const. Materials	\$24,512.00	
4061	71222	Courthouse Expansion	CM Gen Conditions		\$24,512.00

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 507-2008**

9. Appointment to Building Code Commission

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby appoint Roger Linneman to the Building Code Commission for a term beginning November 1, 2008, and ending October 31, 2010.

Commissioner Pearson seconded the motion.

There was no discussion and no public comment.

The motion passed 2-0 **Order 508-2008**

10. Commissioner Reports

There were no commissioner reports.

11. Public Comment

There was no public comment.

The meeting adjourned at 7:26 p.m.

Attest:

Kenneth M. Pearson
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner