

TERM OF COMMISSION: December 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
Director of Resource Management Bill Florea
Deputy County Clerk III Jodi Vanskike

Public Present: Engineer Ben Ross; Engineering Surveys & Services

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. Consent Agenda

- A. Request by Refaat Mefrakis & Ali Fadijah to approve a Final Development Plan for The Haven at New Town in the pending Planned Single-Family Residential (R-SP) zoning district on 0.2 acres located at 6725 S. New Town Ave., Columbia.**
- B. Robbins Subdivision. A-2. S5-T50N-R11W. Jason Robbins, owner. Don Bormann, surveyor.**

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

The Planning and Zoning Commission reviewed agenda item 1 at its November 21, 2024, meeting, item 2 at its September 19, 2024 meeting, and item 3 at its October 17, 2024 and November 21, 2024 meetings. The minutes of the three meetings and the Boone County Zoning and Subdivision Regulations are incorporated into the record of this meeting.

Regarding item 1, the consent agenda, the final plan, item A, was approved and is presented for your approval. The final plat, item B was approved and is presented for your receipt and acceptance. I request that you waive the reading of the staff reports and authorize the Clerk to insert them into the minutes of this meeting.

A. Mefrakis – The Haven at New Town Final Plan.

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 submitted a request to change the 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 review plan for the change in zoning was approved under County Commission order 548-2024.

This final development plan confirms the changes approved in the review plan under County Commission order 548-2024.

The property scored 70 points on the point rating system.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval:

- All the required information is accurately portrayed on the Plan;
- The Final Plan conforms to the approved Review Plan;
- The Final Plan demonstrates compliance with all conditions which the County; Commission may have imposed on the Final Plan.

Approval of the review plan had the following conditions:

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.

The conditions placed upon the review plan will be enforced at the time of the project's construction and inspections.

Staff review of the final plan shows that it meets these criteria for approval.

B. Robbins Subdivision

The subject property is located off E. Roberts Lane, approximately ½ mile east of the intersection of E. Roberts Lane and N. Davis Drive. The property is 9.19 acres in size and zoned Agriculture 2 (A-2). The surrounding zoning is as follows:

- North, East, and West – A-2
- South, Agriculture-Residential (A-R)

A dwelling, several accessory structures, and an onsite wastewater lagoon are present on the property. The proposal is to replat the existing one lot subdivision of CAB subdivision and replat the remaining acreage into a two-lot minor plat.

The subject property has direct access onto E. Roberts Lane, a publicly maintained road. The applicants have not submitted a written request for a waiver from the traffic study requirement. However, a two-lot minor plat is unlikely to have a major impact on existing transportation resources. Waiver of a traffic study requirement is appropriate in this case.

The subject property is located within Public Water Supply District 4. Boone Electric provides power service in this area. Boone County Fire Protection District provides fire protection in the area. The nearest station, station 3, is approximately 5.4 miles away.

An onsite wastewater lagoon serves the existing dwelling. An onsite wastewater lagoon plan was submitted showing a compliant location for a lagoon on the undeveloped lot. The applicants have not submitted a waiver from the sewer cost benefit analysis. However, no sanitary sewer is available nearby. A two-lot minor plat is unlikely to justify the creation of a public sanitary sewer system. Granting a waiver to the sewer cost benefit analysis is appropriate in this case.

The one lot minor plat CAB Subdivision was tentatively approved for vacation under County Commission order 545-2024 with the condition that the property is replatted. Vacation to go into effect with the recording of this plat.

The property scored 21 points on the rating system.

Staff recommended approval of the plat and granting the requested waiver.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the final plan, item A, and does receive and accept the plat, item B, as listed in the attached consent agenda (Attachment A), and authorizes the Clerk to insert the associated staff reports into the minutes of this meeting.

Attachment A:

- A. Request by Refaat Mefrakis & Ali Fadiah to approve a Final Development Plan for The Haven at New Town in the pending Planned Single-Family Residential (R-SP) zoning district on 0.2 acres located at 6725 S. New Town Ave., Columbia.
- B. Robbins Subdivision. A-2. S5-T50N-R11W. Jason Robbins, owner. Don Bormann, surveyor.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #600-2024**

2. **First Reading: Request by D F Clark & Sons, LLC to rezone from General Commercial (C-G) to Planned Light-Industrial (M-LP) and to approve a review plan for Lot 2 of Marsh Commercial Plat 2A on 7.83 acres located at 1570 N. Rte. J, Columbia. (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 September 19, 2024 meeting and issued a recommendation for approval of the rezoning on a 5-3 vote and approval of the Review Plan on a 6-2 vote, a previous motion to deny the request failed on a 4-4 vote.

The subject property is located off N. Route J, north of Interstate I-70. It is currently zoned General Commercial (C-G), and is surrounded by C-G zoning to the south, east, and west across north route J. The property to the north is zoned Agriculture 2 (A-2). All of the zoning is original 1973 zoning.

Originally platted as Lot 2 of Marsh Commercial – Plat 2 in 2013, the lot was replatted as Lot 2A in 2022. A review plan to rezone the property to M-LP was submitted in August 2022. The Planning and Zoning Commission recommended approval of the rezoning and review plan on a 6-1 vote. The County Commission denied the request on August 30, 2022.

The proposal seeks to rezone from C-G to M-LP to allow the existing building to operate as office and storage/warehouse and bring the exterior storage area into compliance with the Zoning Ordinance. It is essentially identical to the August 2022 request.

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

Utilities: Boone Electric Cooperative provides electric service to the lot. Consolidated Water provides water service to the lot. An existing 12” main provides commercial fire flows to a hydrant on the property. An on-site engineered wastewater system is present on the property. The change in zoning and allowed uses shown on the plan will not increase the amount of wastewater generated.

Transportation: The property is adjacent to north Route J, a state-maintained roadway. Access from Route J is from a shared private drive serving the lots to the south and the east. Most of the existing private drive and parking area for the building is shown as a concrete surface. A portion of the private drive bordering the property to the east, as well as the exterior storage area is labeled as gravel. The plan notes that all surfaces will be converted to dust-free material.

Public Safety: The Boone County Fire Protection District provides fire protection for the area. The nearest station, Station 9, is approximately three miles away.

Zoning Analysis: This proposal meets the sufficiency of resources test. Addition of an exterior storage area will have minimum impact on existing transportation and infrastructure resources. The property scored 51 points on the rating system.

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

1. That all drive surfaces and exterior parking areas contained within the Plan are converted to a dust-free material satisfactory to the Director of Resource Management within one calendar year of the approval of the Final Plan.

Commissioner Kendrick tabled this item.

- 3. First Reading: Request by CKL Property Management, LLC to rezone from General Commercial (C-G) and Planned General Commercial (C-GP) to Planned Industrial (M-LP), and to approve a review plan on 4.1 acres located at 7400 E. I-70 Drive SE, Columbia. (Appeal of a recommendation for denial, 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 October 17, 2024, and the request was tabled. The request was taken off the table at the November 21, 2024 meeting and, after additional discussion, the Commission issued a recommendation for denial of the rezoning on a 9-2 vote and denial of the Review Plan on a 11-0 vote. The recommendation was appealed in a timely manner.

The property is located at the southeast corner of the intersection of Sunny Vale Dr. and I-70 Drive SE. The overall property is 4.10 acres in size, and comprises lots 125, 126, 127 of Sunrise Estates Subdivision as recorded in the Boone County Recorder of Deeds Book 7, Page 46. The eastern half of the property, lots 125 & 126 are zoned Planned Commercial (C-GP) with allowed uses limited to only a display lot or parking lot. This rezoning was from the Residential Single-Family (R-S) zoning that dominates the neighborhood and occurred in 2011. The western half of the property is zoned General Commercial (C-G) and is a 1973 original zoning as are all the following:

- North – (Across I-70) Agriculture 2 (A-2)
- East – R-S
- South – Residential Moderate Density (R-M) & R-S
- West – R-S

The property contains a commercial building, originally built in the 1960s, and a non-conforming billboard. The property obtained a conditioned variance from the Boone County

Investigator software and support from Carasoft Technology Corporation of Reston, Virginia for the Boone County Sheriff's Office.

The contract 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 #602-2024**

Auditor

6. FY2025 Budget – Open Public Hearing

Commissioner Kendrick opened and closed the public hearing.

Commission

7. Public Comments

None

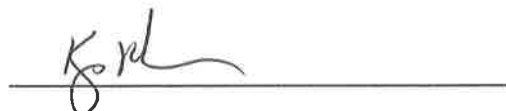
8. Commissioner Reports

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

7400 I-70 Drive Southeast Rezoning Request to M-LP Appeal to County Commission December 10, 2024



Boone County Assessor Parcel Map

Purchased in 2023 by Applicant: CKL Property Management LLC

Parcel Information Viewer
Parcel Number, Owner's Name, or Property Address
Search

1731512010360001
Owner CKL PROPERTY MANAGEMENT LLC
Address 10625 E VEMERS FORD RD
City, State, Zip COLUMBIA, MO 63201
School COLUMBIA (C1)
Legal SUNRISE ESTATES
Description LOTS 123, 126 & 127
Deduced Acreage 4.10
Parcel 17-315-12-01-036.00-01
Full Real Estate Summary
Click link above to view full real estate summary

Aerial Date Current as of: 8/24/2024
Information Retrieved: 8/24/2024 9:12 PM CDT

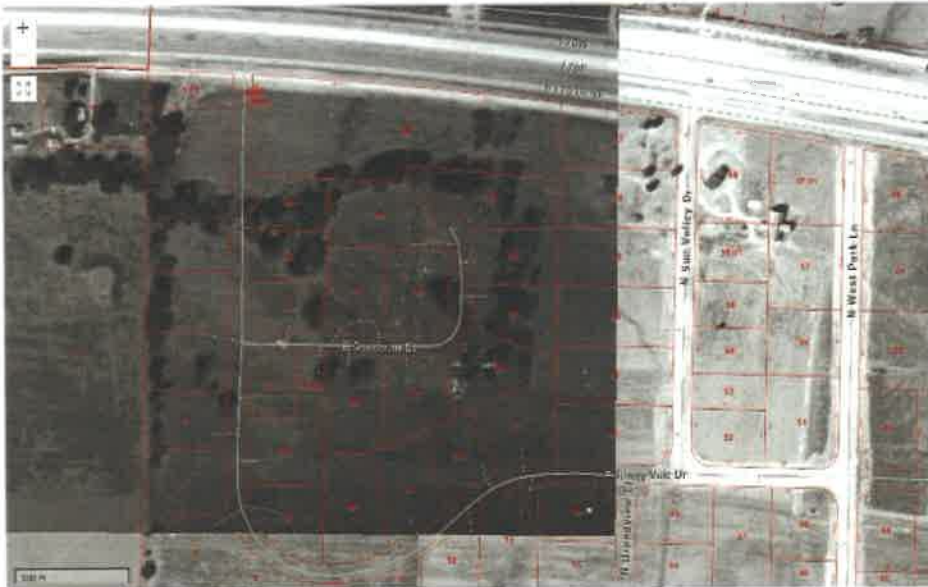
Zoom to Neighborhood Zoom to Location

Print Link Map Legend Help

Show Layer List



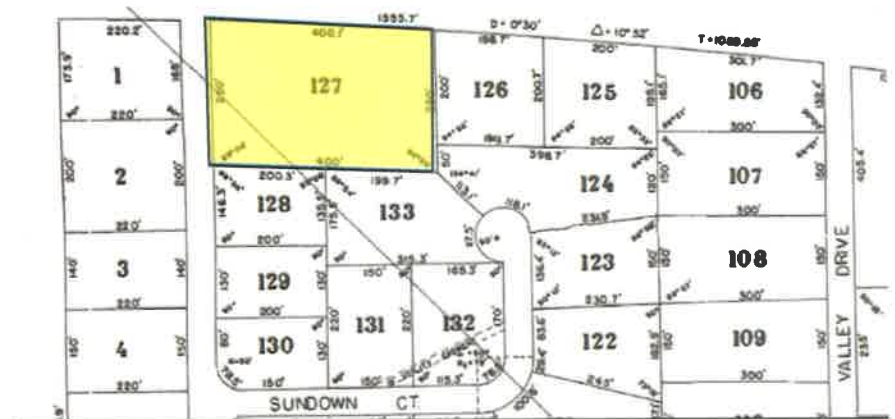
Commercial Property was developed with Neighborhood



1962 Boone County Assessor Aerial Photo

Interstate 70 is only 2 lanes.

No homes built yet.



Subdivision Plat 1964

Note Large Commercial Lot 127

Commercial Property was developed with Neighborhood



1968 Aerial Photo

7400 I-70 Dr. Southeast
Commercial building and homes
constructed at the same time.

Interstate 70 is now 4 lanes

Building constructed for an
HVAC Contractor, same use as
current owner.



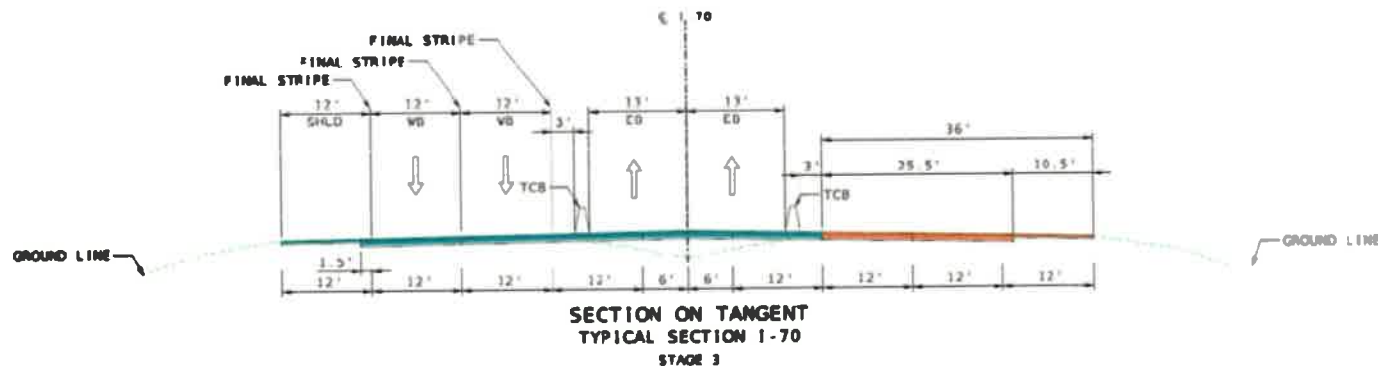
Commercial Property was developed
with Neighborhood

2023 Aerial Photo

Existing Privacy Fences along east and
south property lines to remain.

Truck parking by previous owner
Body Shop/Vehicle Repair

Soon - Interstate 70 will be 6 lanes



Boone County Zoning Map



Boone County Zoning Map

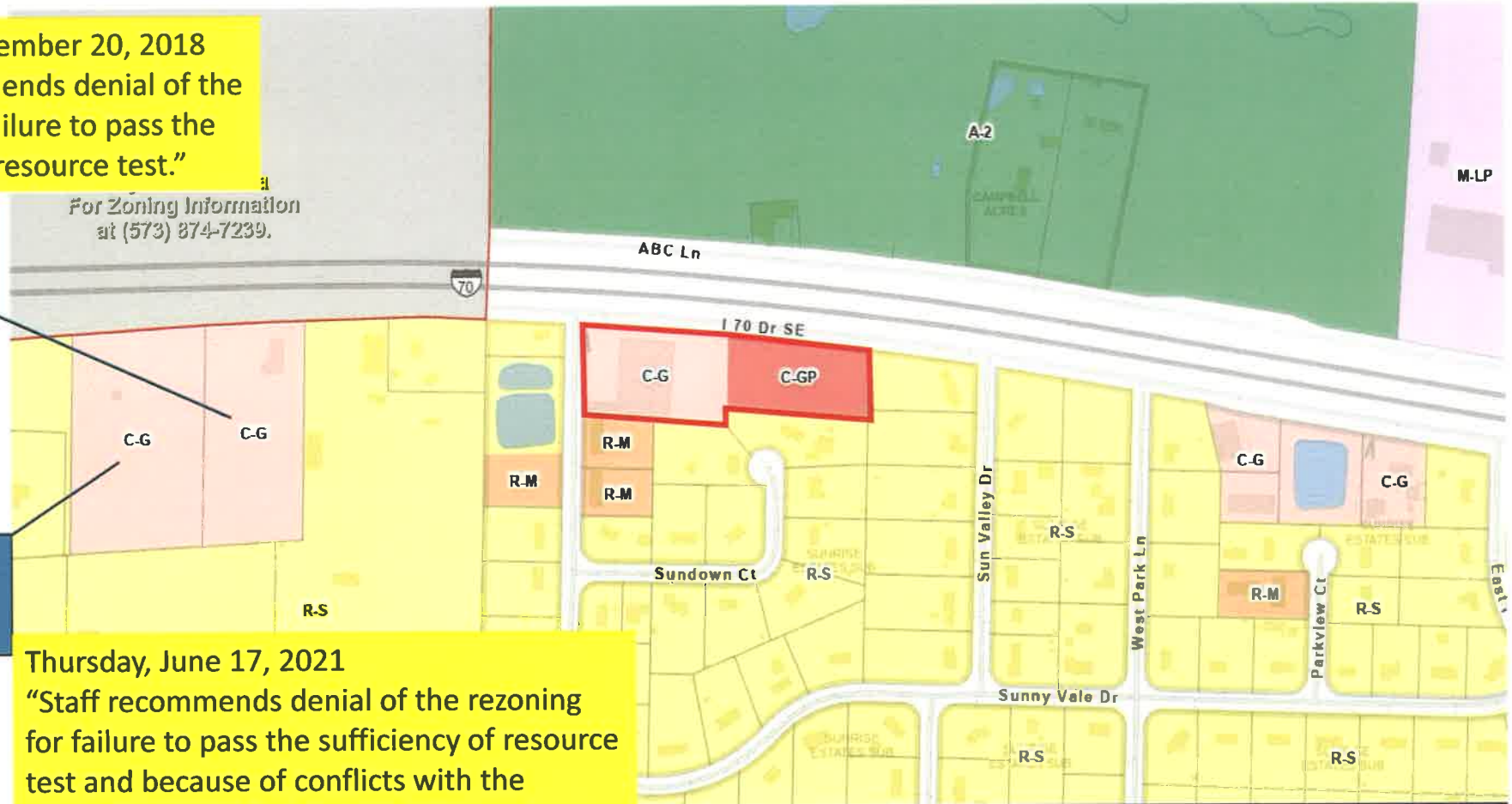
Thursday, December 20, 2018
"Staff recommends denial of the rezoning for failure to pass the sufficiency of resource test."

Rezoned to
Commercial
in 2019

For Zoning Information
at (573) 874-7239.

Rezoned to
Commercial
in 2021

Thursday, June 17, 2021
"Staff recommends denial of the rezoning for failure to pass the sufficiency of resource test and because of conflicts with the adopted East Area Plan."



Previous Approved Use

Parking Lot for Recreational Vehicle Sales



2019 Timeframe

Proposed Use

Proposed Tenant for Eastern Half of Building: SiteOne Landscape Supply



Uses:
Office
Wholesale Warehouse
Fenced Outdoor Storage
Warehouse

SiteOne's Chesterfield, Missouri Facility
(No new buildings proposed with this
rezoning.)



Proposed Use

Current Tenant for Western Half of Building: Walsh Insulation Services



Uses:

Office

Warehouse

7 Proposed Allowed Uses vs. 40 Allowed Uses Today

ALLOWED USES

- ➡ 1. OFFICE OR OFFICE BUILDING.
- ➡ 2. RETAIL STORE PROVIDED THAT IN CONNECTION WITH WHICH THERE SHALL BE NO SLAUGHTER OF ANIMALS OR POULTRY, NOR COMMERCIAL FISH CLEANING AND PROCESSING ON THE PREMISES.
- ➡ 3. DISPLAY AND SALESROOM.
- 4. LUMBERYARD AND BUILDING MATERIALS.
- 5. WHOLESALE ESTABLISHMENT OR WAREHOUSE IN A COMPLETELY ENCLOSED BUILDING.
- 6. WHOLESALE MERCHANDISING OR STORAGE WAREHOUSES AND FENCED OUTDOOR STORAGE AREAS.
- 7. CONTRACTOR'S BUILDINGS AND STORAGE PLANTS.

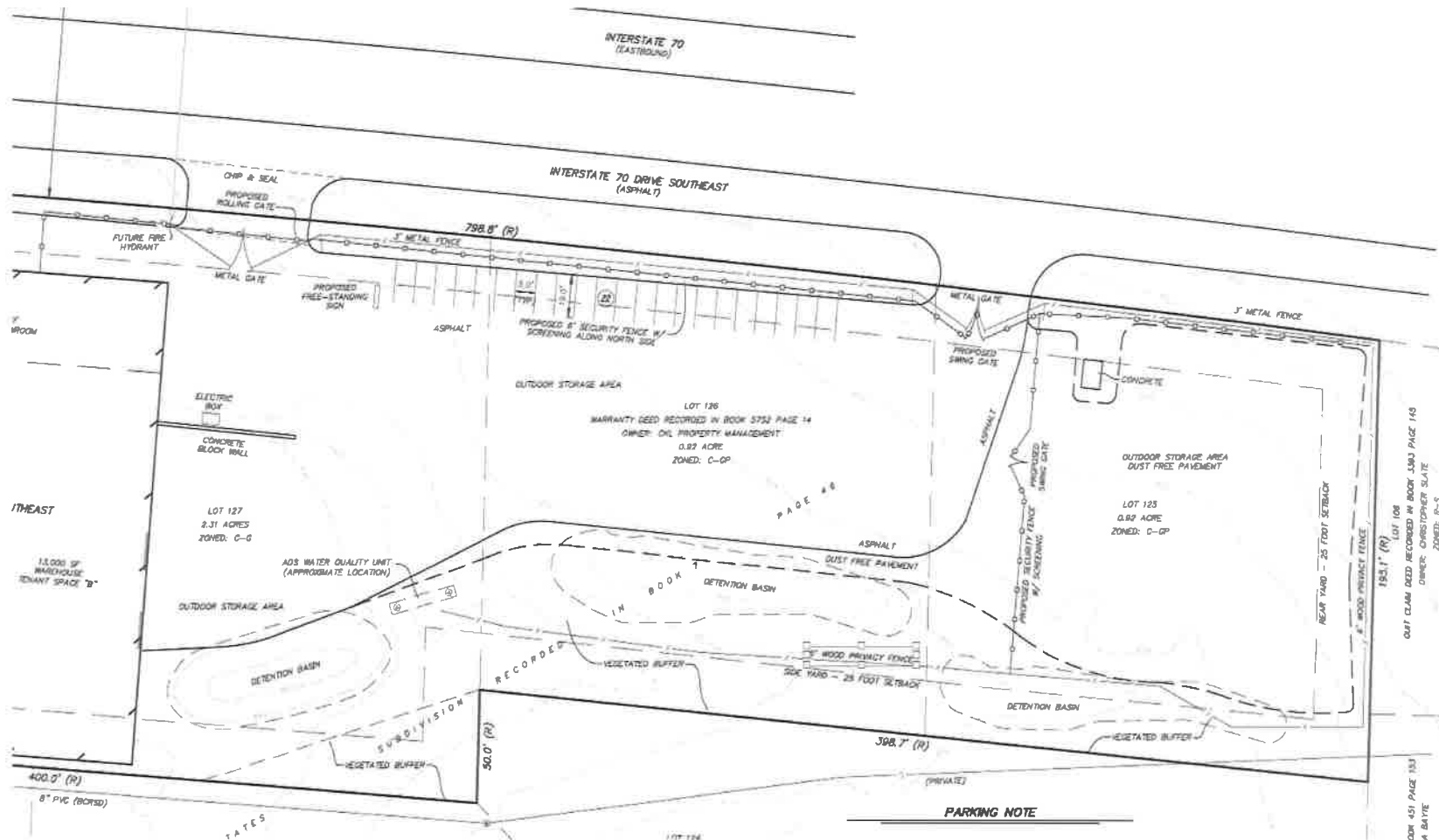
Compare to Farm Store

Original 1960s Use

NOTE: LABELED AREAS ON PLAN ARE EXAMPLES ONLY AND OTHER USES LISTED ARE ONLY ALLOWED AS THEY FIT THE PROVIDED PARKING AND SITE DESIGN.



Eastern portion of site to be Fenced Outdoor Storage



Existing Building is Approximately 8 feet from South Property Line
 Variance Approved for 25-foot building setback required for future M-LP rezoning

Office Use Only
 Case # 0066

NOTICE OF APPLICATION TO THE BOARD OF ADJUSTMENT
ONE FORM PER VARIANCE REQUEST
\$185.00 Non-Refundable Application Fee

Submit forms to:
 Board of Adjustment, Attn: Secretary, Board of Adjustment, 801 E Walnut St, Rm 315, Columbia, MO 65201

SUBJECT: Notice of application in regard to the following described property located in Boone County, Missouri:

17 - 315 - 12 - 01 - 036 - 0001 LOTS 125, 126 & 127 Sunrise Estates
 *Tax Parcel Number *legal description (attach separate form if necessary)
 and known, or to be known as: 7400 I-70 Drive Southeast Columbia, MO 65201
 *street or route *City, Zip Code

*Notice is hereby given that I/we the property owner apply to the Board of Adjustment, Boone County, Missouri for a variance from Zoning ☐ Subdivision Regulations Section(s) 6.9.1 25 foot setback
 (use separate form for each requested variance)

*Reason for request (attach a separate sheet if needed): The existing building, constructed in the 1960s, is closer than 25 feet to the property line.

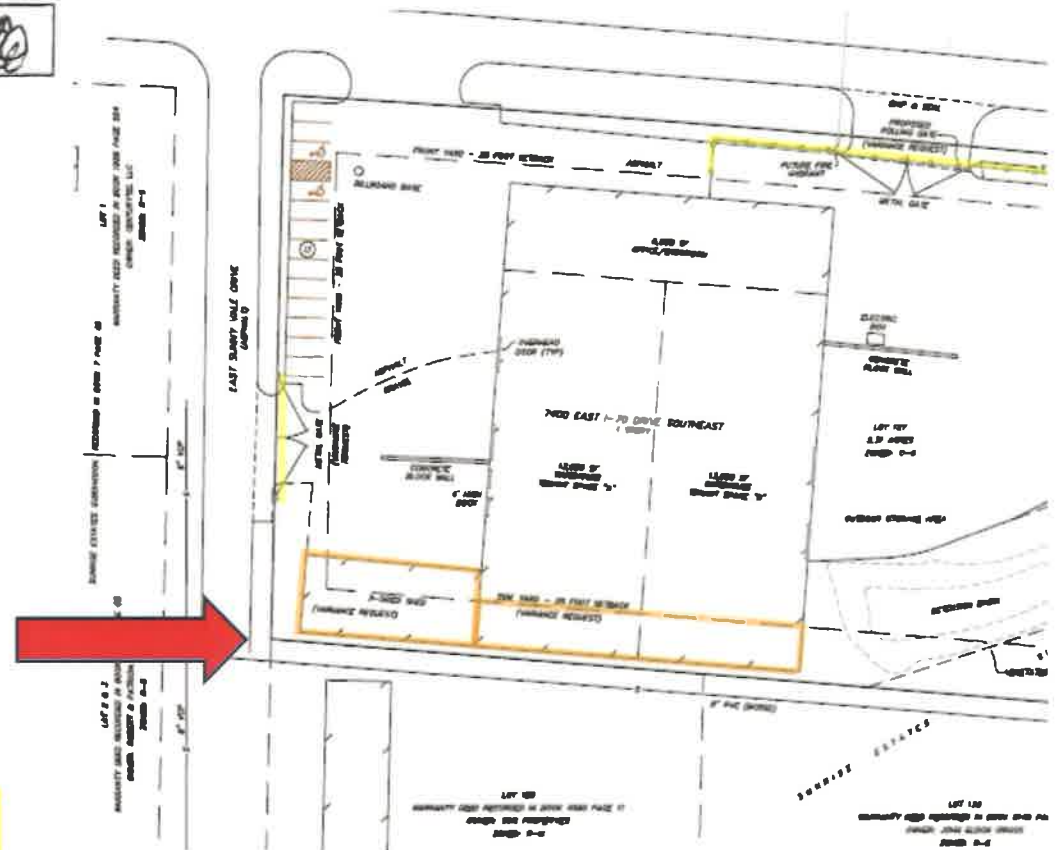
Type and location of building the variance is requested for, if applicable. (May be indicated on survey or aerial photograph - attach copy) See attached drawing

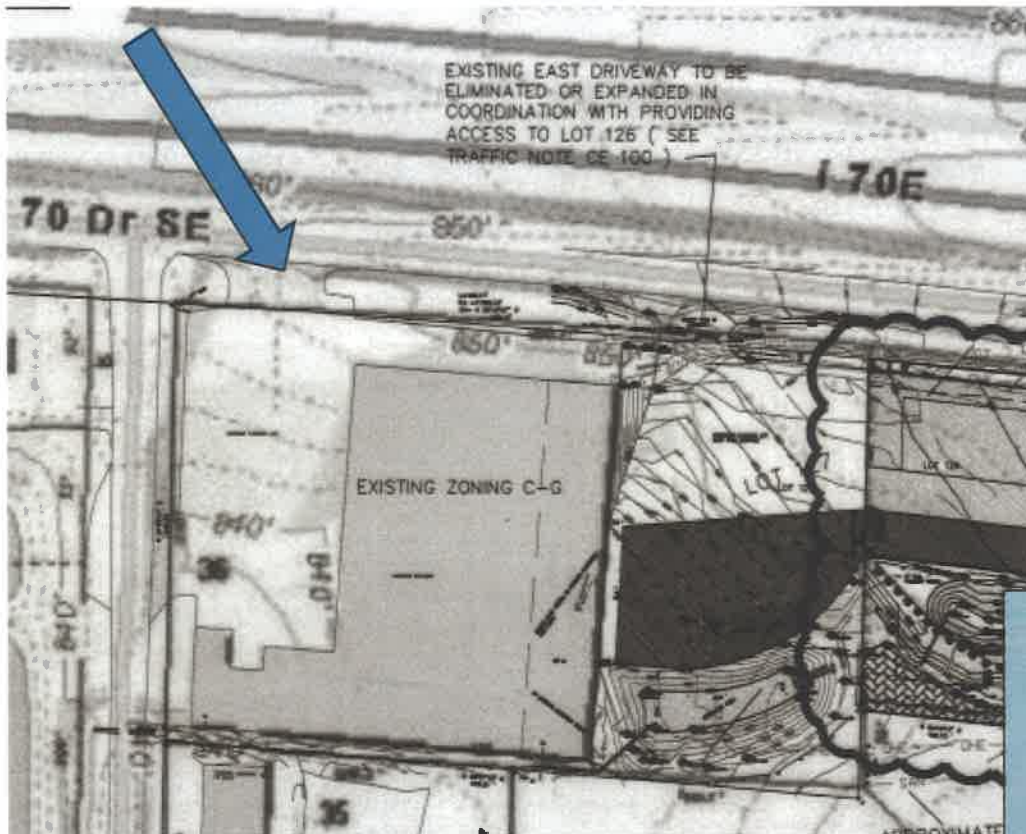
*Current zoning: C-G *Current use of the property: warehouse (non-conforming use)

Proposed use if different from above: warehouse and outside storage (requesting M-LP zoning)

Authority to grant said permission is given to the Board of Adjustment by Section 15C, Boone County Zoning Regulations. If the Board of Adjustment grants permission as requested, there will still be substantial compliance with the Zoning Regulations. The spirit of the Zoning Regulations will be observed. public safety and welfare will be

Proposed rezoning to M-LP (Planned Light Industrial)
 to allow existing warehouse use and outside storage





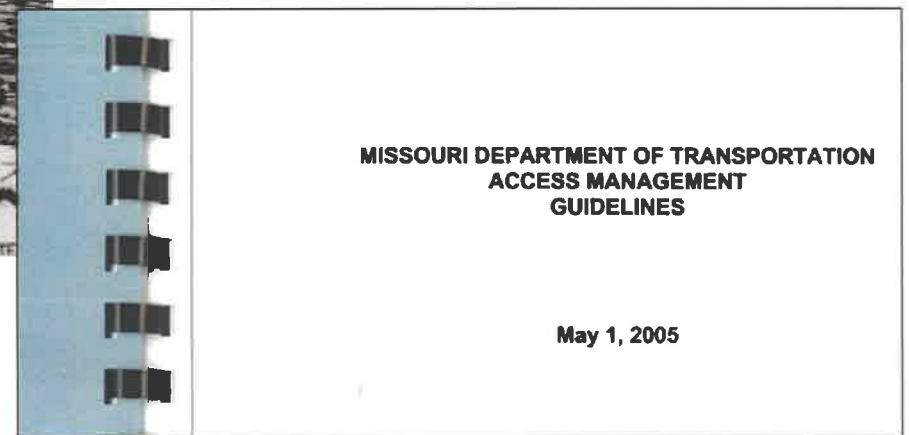
Western Driveway

Serves loading docks on west side of building

MoDOT's Access Management Policy since 2005

Allowed to remain as part of 2011
Planned District Approval

MoDOT NOT requiring the driveway to be closed
now



From: Trent Brooks <Trent.Brooks@modot.mo.gov>
Sent: Monday, October 28, 2024 10:45 AM
To: Benjamin Ross
Subject: RE: 7400 I-70 Drive SE - Westernmost driveway discussion

Western Driveway

External Sender: Do not click links or attachments unless you know they are safe.

Ben, in general **your notes below** and the statement I sent the county **are correct**. MoDOT would like to see the drive removed.

I am not sure statement #3 is correct as I do not believe a court order is needed to close a drive. I know a court order is not needed to restrict movements at a drive.

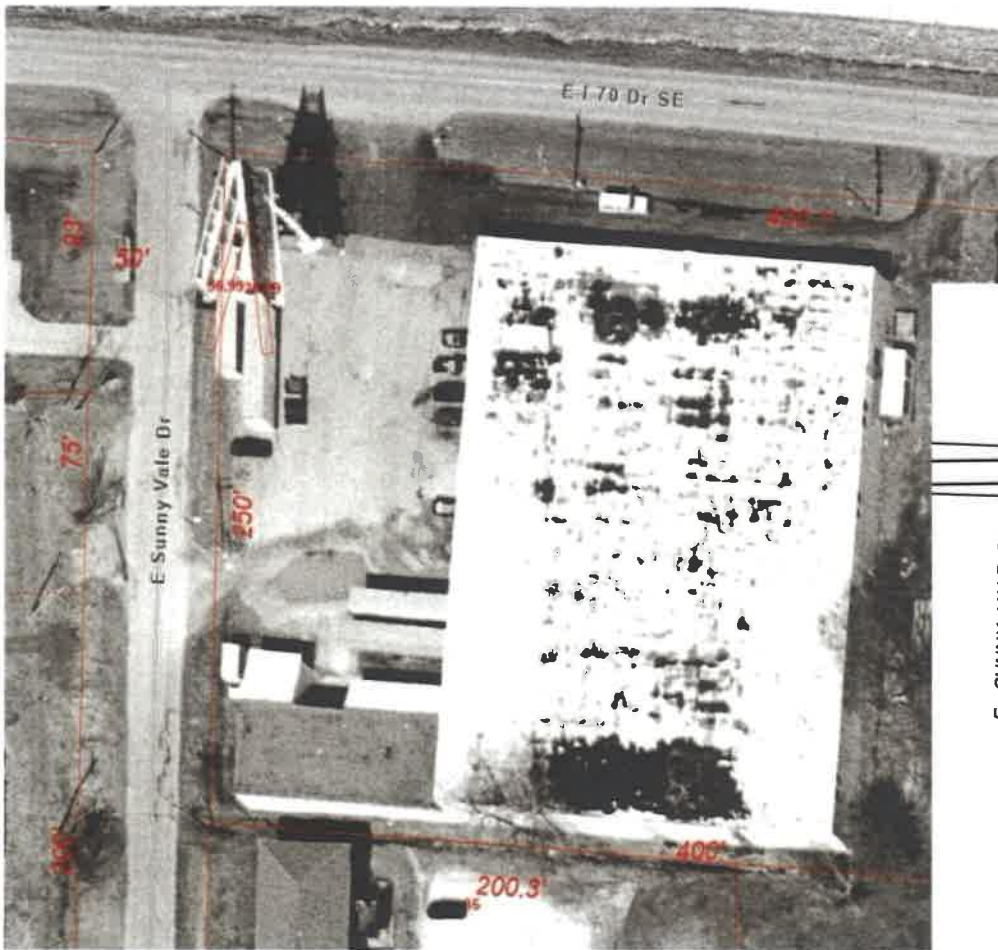
Let me know if you have additional questions.

Thanks,

Trent Brooks, P.E.
MoDOT Central District Traffic Engineer
Phone – 573-751-7692
trent.brooks@modot.mo.gov

My client recognizes that I-70 Drive Southeast is MoDOT right-of-way and MoDOT could remove this driveway anytime MoDOT likes. During our conversation, I understood you to say:

1. **MoDOT is not requiring this driveway be closed.**
2. In your experience MoDOT rarely, if ever, requires a driveway to be closed outside a permit application or MoDOT right-of-way acquisition action.
3. **If MoDOT thought a driveway was a problem, MoDOT could get a court order to close a driveway.**
4. We discussed the existing loading docks on the west side of the 60 year old building and the possible unintended consequence of large semi-trucks driving through the adjacent neighborhood streets to access the loading docks, if the western driveway was closed. **You thought that would not be ideal.**

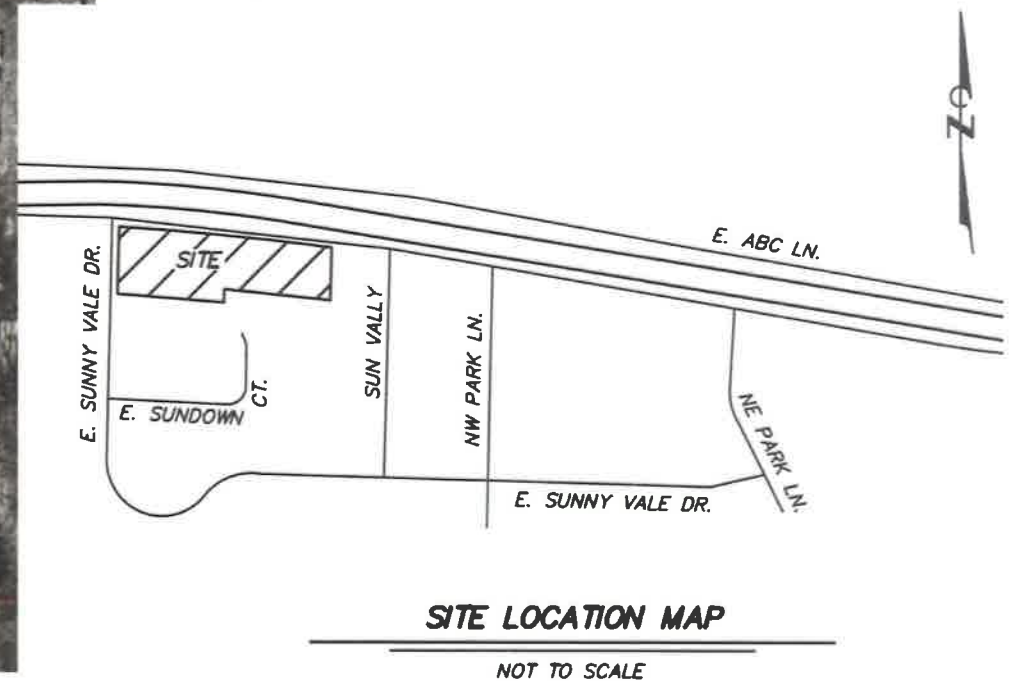


2002 Aerial Photo

Western Driveway

Semitrucks parked at loading docks

Alternate Route to Loading Docks is through the neighborhood from the south.



Western Driveway



Western Driveway



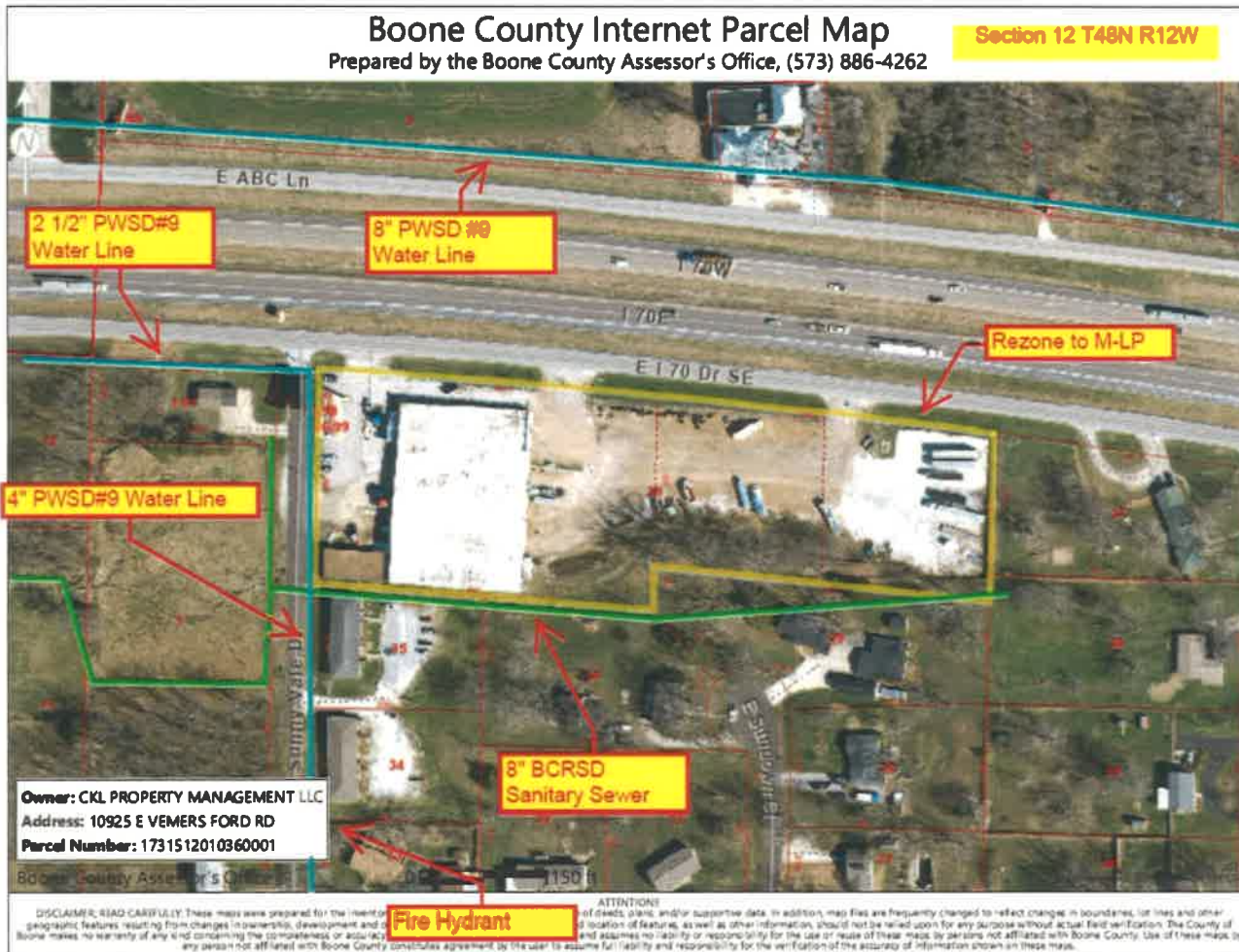
Western Driveway





Western Driveway

Utility Services in the Area



8-inch BCRSD public sewer on south side of property

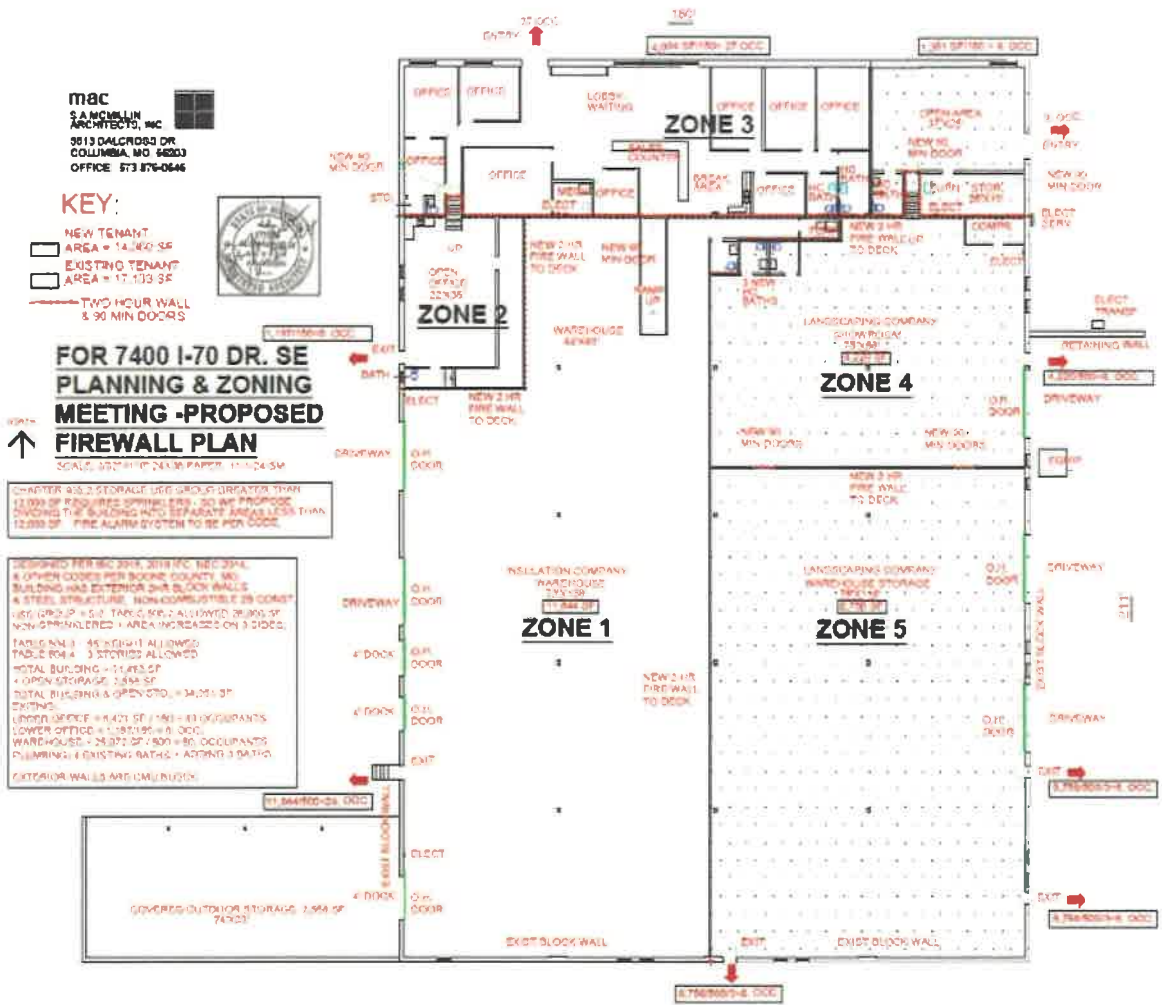
8-inch PWSD#9 water on north side of I-70



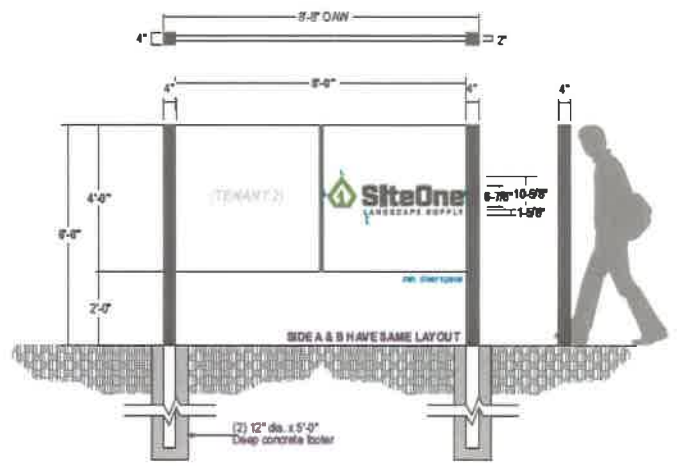
Fire Code

507.3 Fire Flow: Fire hydrants in areas zoned as single family, duplex or agricultural shall be spaced no greater than every five hundred (500) feet and shall be capable of flowing a minimum of five hundred (500) gallons of water per minute for a minimum of two (2) hours. In all other areas, fire hydrants shall be spaced no greater than every three hundred (300) feet and shall be capable of flowing one thousand (1,000) gallons per minute for a minimum of two (2) hours; as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the code.

507.3.1 Where the water district authority cannot meet the minimum standards in section 507.3 and or section B105.1, alternative safety measures will need to be presented to the fire code official for consideration.



Fire Code Compliance with Interior Firewalls
Fire Sprinklers are Not Required per Code



From: Blomenkamp, Gale <gblomenkamp@bcfdmo.com>
Sent: Wednesday, November 6, 2024 12:36 PM
To: Benjamin Ross
Cc: Josh Lange; Paul Land; Steve McMillin; Zachary Morrison; Taylor Acton
Subject: Re: FW: 7400 I 70 Warehouse Floor Plan

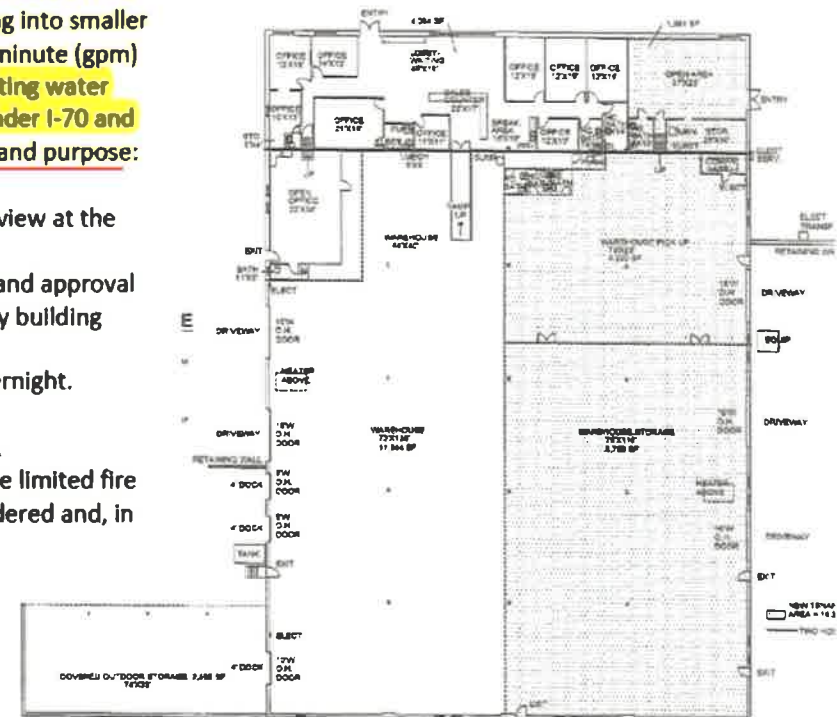
Fire Code Compliance with Interior Firewalls Fire Sprinklers are Not Required per Code

Subject: Re: Proposal Review and Variance Request

Dear Benjamin,

I have reviewed your proposal and request for a variance regarding the water line extension from the north side of I-70 to your building on the south side. While the two-hour fire wall construction and the division of the building into smaller sections reduce the need for fire sprinklers, the requirement for a minimum fire flow of 1,000 gallons per minute (gpm) on fire hydrants remains. We understand that current commercial fire flows are unattainable with the existing water lines south of I-70. Therefore, with these considerations, we can agree to waive the waterline extension under I-70 and commercial fire flows, provided they are met and maintained as long as the building retains its ownership and purpose:

1. **Fire Walls:** Fire walls must be constructed as proposed, and plans should be submitted for a full review at the time of the permit application.
2. **Fire Alarm System:** A code-compliant, monitored fire alarm system must be submitted for review and approval per code. This system should be designed for early notification to both the fire department and any building occupants, and it must meet the standards as if it were required by code.
3. **Vehicle Storage:** No gas or diesel-powered vehicles or trucks may be stored inside the building overnight. Propane-powered forklifts are permitted as an exception.
4. **Occupancy Restrictions:** No individuals shall be allowed to "reside" or "sleep" within the structure.
5. **Acknowledgement of Fire Flow Limitations:** A certified letter acknowledging your awareness of the limited fire flow availability must be provided. This letter should recognize that firefighting efforts may be hindered and, in some cases, that extinguishing a fire within the building may not be feasible or safe.



RV Dealership in Columbia, MO

● Open until 7:00 pm today

8877 Interstate 70 Dr NE
Columbia, MO 65202
[Get Directions](#)

(866) 405-0786
[✉ Email Us](#)

RV Dealership

Mon-Fri 9:00 AM-7:00 PM

Sat 9:00 AM-6:00 PM

Sun 11:00 AM-5:00 PM

Hours of Operation – Less Intensive

West Half of Building:
Walsh Insulation Services

Monday – Friday 7:00 am to 5:00 pm

East Half of Building and Outdoor Storage:
SiteOne Landscape Services

Monday	7:00 a.m.- 4:00 p.m.
Tuesday	7:00 a.m.- 4:00 p.m.
Wednesday	7:00 a.m.- 4:00 p.m.
Thursday	7:00 a.m.- 4:00 p.m.
Friday	7:00 a.m.- 4:00 p.m.
Saturday	8:00 a.m.- 12:00 p.m.
Sunday	Closed

Questions?

